

SIXTY-FOURTH DAY

(Monday, May 6, 1935)

The House met at 9:30 o'clock a. m., pursuant to adjournment, and was called to order by Speaker Stevenson.

The roll was called, and the following members were present:

Mr. Speaker	Harris of Dallas
Adamson	Head
Adkins	Herzik
Aikin	Hill
Alexander	Hodges
Alsup	Hofheinz
Ash	Holland
Atchison	Hoskins
Beck	Howard
Bergman	Huddleston
Bourne	Hunt
Bradbury	Hunter
Bradford	Hyder
Broyles	Jackson
Burton	James
Butler of Karnes	Jefferson
Cagle	Jones of Atascosa
Caldwell	Jones of Falls
Calvert	Jones of Runnels
Canon	Jones of Wise
Celaya	Keefe
Clayton	King
Collins	Knetsch
Colquitt	Lange
Colson	Lanning
Cooper	Latham
Cowley	Leath
Craddock	Lemens
Crossley	Leonard
Daniel	Lindsey
Davis	Lotief
Davison of Fisher	Lucas
Davisson	Luker
of Eastland	Mauritz
Dickison	McCalla
Dunagan	McConnell
Dunlap of Hays	McFarland
Dunlap of Kleberg	McKee
Duvall	McKinney
Dwyer	Moore
England	Morris
Fain	Morrison
Fisher	Morse
Ford	Newton
Fox	Nicholson
Frazer	Olsen
Fuchs	Padgett
Gibson	Palmer
Glass	Patterson
Good	Payne
Graves	Petsch
Gray	Quinn
Greathouse	Reader
Hankamer	Reed of Bowie
Hanna	Reed of Dallas
Hardin	Riddle
Harris of Archer	Roach of Angelina

Roach of Hunt	Tarwater
Roane	Tennyson
Roberts	Thornton
Rogers	Tillery
Russell	Venable
Rutta	Waggoner
Scarborough	Walker
Settle	Wells
Shofner	Westfall
Smith	Wood of Harrison
Spears	Wood of Montague
Steward	Worley
Stinson	Young
Stovall	Youngblood

Absent

Stanfield

Absent—Excused

Butler of Brazos	Hartzog
Farmer	Moffett
Fitzwater	Pope
Jones of Shelby	Roark

A quorum was announced present.

Rev. Geo. W. Coltrin, Chaplain, offered the following invocation:

"Almighty God, who dost use nature as Thy means and Thy servant, we thank Thee for the fine rains that have fallen upon our State, and for the renewal of confidence they have brought to so many. Bless us according to Thy grace in this wonderful day to which Thou hast brought us. For Christ's sake."

LEAVES OF ABSENCE GRANTED

The following members were granted leaves of absence on account of important business:

Mr. Jones of Shelby for today, on motion of Mr. Riddle.

Mr. Pope for today, on motion of Mr. England.

Mr. Roark for today, on motion of Mr. Thornton.

Mr. Farmer for today, on motion of Mr. Fox.

Mr. Hartzog for today, on motion of Mr. Harris of Dallas.

Mr. Butler of Brazos for this morning, on motion of Mr. Clayton.

The following members were granted leaves of absence on account of illness:

Mr. Fitzwater for today, on motion of Mr. Stovall.

Mr. Moffett was granted leave of absence for this morning, on motion of Mr. Alsup.

RELATIVE TO HOUSE BILL NO. 902

On motion of Mr. Howard, the Enrolling Clerk of the House was authorized to make certain corrections in House Bill No. 902.

MOTION TO LAY BILL ON TABLE SUBJECT TO CALL

Mr. Spears moved that House Bill No. 73 be laid on the table subject to call.

The motion was lost (not receiving the necessary two-thirds vote) by the following vote:

Yeas—64

Ash	Jones of Wise
Beck	Keefe
Bradbury	Lanning
Bradford	Latham
Burton	Lucas
Celaya	McCalla
Clayton	McConnell
Colquitt	McFarland
Cooper	McKee
Craddock	Moore
Davison of Fisher	Morris
Dickison	Morrison
Dunlap of Hays	Nicholson
England	Olsen
Fain	Padgett
Fisher	Patterson
Ford	Payne
Fox	Reader
Gibson	Reed of Bowie
Glass	Rutta
Graves	Settle
Greathouse	Shofner
Hankamer	Smith
Hanna	Spears
Hardin	Stovall
Herzik	Tennyson
Hofheinz	Tillery
Holland	Waggoner
Hoskins	Wood of Harrison
Jackson	Wood of Montague
Jefferson	Young
Jones of Falls	Youngblood

Nays—41

Adamson	Good
Adkins	Harris of Archer
Aikin	Harris of Dallas
Alexander	Head
Alsup	Hodges
Bourne	Howard
Broyles	Huddleston
Butler of Karnes	Hunt
Canon	Hunter
Crossley	Hyder
Dunagan	Knetsch
Dwyer	Leath
Fuchs	Lindsey

Luker	Roane
Mauritz	Russell
McKinney	Stinson
Morse	Thornton
Newton	Wells
Palmer	Westfall
Petsch	Worley
Reed of Dallas	

Present—Not Voting

Gray

Absent

Atchison	Jones of Runnels
Bergman	King
Cagle	Lange
Caldwell	Lemens
Calvert	Leonard
Collins	Lotief
Colson	Quinn
Cowley	Riddle
Daniel	Roach of Angelina
Davis	Roach of Hunt
Davisson	Roberts
of Eastland	Rogers
Dunlap of Kleberg	Scarborough
Duvall	Stanfield
Frazer	Steward
Hill	Tarwater
James	Venable
Jones of Atascosa	Walker

Absent—Excused

Butler of Brazos	Jones of Shelby
Farmer	Moffett
Fitzwater	Pope
Hartzog	Roark

BILLS LAID ON THE TABLE SUBJECT TO CALL

On motion of Mr. Quinn, House Bill No. 836 was laid on the table subject to call.

On motion of Mr. Patterson, House Bill No. 992 was laid on the table subject to call.

TO GRANT PERMISSION TO SUE THE STATE

Mr. Davis offered the following resolution:

H. C. R. No. 113, To grant Ben F. Roberts permission to sue the State.

Whereas, Ben F. Roberts, of Haskell, in Haskell County, Texas, leased to the State Highway Department one (1) 1934 Dodge 1½-ton truck, to be used by said Highway Department in the construction of what is known as State Highway No. 120, from Haskell to the Throckmorton County line; and

Whereas, On or about the fifteenth day of April, 1935, while said truck was being operated by a C. W. A. worker, under the direction of an employe of the said State Highway Department, in Haskell County, Texas, it was struck by another automobile and greatly damaged; and

Whereas, The said Ben F. Roberts has not been compensated by the State of Texas for the damages resulting to his said truck by reason of said collision; now, therefore, be it

Resolved by the House of Representatives, the Senate concurring, That the said Ben F. Roberts be, and he is hereby, granted permission to bring suit against the State of Texas and against the Highway Commission of Texas, in a court of competent jurisdiction in Haskell County, Texas, in order to ascertain, fix, and award the amount of money, if any, the said Ben F. Roberts is entitled to receive from the State of Texas and the Highway Commission of Texas as compensation for the damages to his said truck, and that in case suit be filed, service of citation or other necessary process shall be had upon the Chairman of the Highway Commission of Texas, and that the same have the same force and effect as made and provided in civil cases, and that any judgment that may be finally established against the State of Texas and the Highway Commission of Texas in said suit shall be a liquidated debt, and shall be paid by the Highway Commission of Texas out of the State Highway Funds.

The resolution was read second time.

On motion of Mr. Alsup, the resolution was referred to the Committee on State Affairs.

TO PROVIDE FOR INVESTIGATION OF STATE APPROPRIATION EXPENDITURES

Mr. Good offered the following resolution:

Whereas, The Legislature is responsible to the people and the taxpayers of the State for the efficient and economical administration of the fiscal affairs of the State; and

Whereas, Under the present system the Appropriations Committee has only second-hand information and hearsay evidence of the needs of the departments and institutions of the State Government; and

Whereas, It would be to the best interest of the taxpayers and the people of the State, for the Legislature to inspect the management of the State departments and institutions and see that the money appropriated by the Legislature is expended in the manner and for the purposes appropriated as well as to secure first-hand information as to the needs of such departments and institutions for the coming biennium of 1937-38; now, therefore, be it

Resolved by the House of Representatives, That the Speaker appoint three members of the House to inspect and to investigate the departments of the State Government and the institutions and colleges, to ascertain if the money appropriated by the Legislature is being expended for the purposes and in the manner for which it has been appropriated, and to recommend to the next session of this Legislature or to the Regular Session of the Forty-fifth Legislature such economies and changes in the appropriations as may be found necessary or advisable; be it further

Resolved, That said committee shall be authorized to employ such help as is needed in making such inspection and investigation and in the formulation of the report; and that all necessary expenses of such committee be paid by and through the Chairman of the Contingent Expense Committee upon the certificate of the chairman of the committee out of the Contingent Expense Fund of the Forty-fourth Legislature.

GOOD,
AIKIN,
DICKISON,
DUNLAP of Kleberg,
SETTLE.

The resolution was read second time.

Mr. Alsup moved that the resolution be referred to the Committee on Revenue and Taxation.

Mr. Quinn raised a point of order on further consideration of the resolution, on the ground that the House has heretofore defeated a similar resolution.

The Speaker overruled the point of order.

Mr. Quinn moved to table the resolution.

Question recurring on the motion to table, yeas and nays were demanded.

The motion to table prevailed by the following vote:

Yeas—77

Adamson	Jones of Runnels
Adkins	Jones of Wise
Alexander	Keefe
Alsup	King
Ash	Lanning
Atchison	Lotief
Bergman	Lucas
Bourne	Luker
Bradbury	Mauritz
Broyles	McCalla
Burton	McFarland
Canon	McKee
Celaya	McKinney
Clayton	Moore
Collins	Morris
Colson	Morrison
Cowley	Olsen
Craddock	Padgett
Crossley	Palmer
Davisson	Patterson
of Eastland	Payne
Dunlap of Hays	Quinn
Fisher	Riddle
Ford	Roach of Hunt
Fox	Roane
Fuchs	Rogers
Gibson	Russell
Glass	Scarborough
Gray	Shofner
Hankamer	Smith
Hodges	Stinson
Hofheinz	Tarwater
Holland	Thornton
Howard	Tillery
Huddleston	Walker
Hyder	Wells
Jackson	Wood of Harrison
Jones of Atascosa	Wood of Montague
Jones of Falls	Worley

Nays—41

Aikin	James
Beck	Jefferson
Bradford	Knetsch
Caldwell	Latham
Calvert	Leath
Dickison	Lindsey
Dunagan	Morse
Dunlap of Kleberg	Newton
Dwyer	Reader
England	Reed of Bowie
Fain	Rutta
Frazer	Settle
Good	Spears
Graves	Steward
Hanna	Stovall
Hardin	Venable
Harris of Archer	Waggoner
Head	Westfall
Hill	Young
Hoskins	Youngblood
Hunter	

Present—Not Voting

Colquitt

Absent

Butler of Karnes	Lange
Cagle	Lemens
Cooper	Leonard
Daniel	McConnell
Davis	Nicholson
Davison of Fisher	Petsch
Duvall	Reed of Dallas
Greathouse	Roach of Angelina
Harris of Dallas	Roberts
Herzik	Stanfield
Hunt	Tennyson

Absent—Excused

Butler of Brazos	Jones of Shelby
Farmer	Moffett
Fitzwater	Pope
Hartzog	Roark

MESSAGE FROM THE SENATE

Senate Chamber,
Austin, Texas, May 6, 1935.

Hon. Coke Stevenson, Speaker of the
House of Representatives.

Sir: I am directed by the Senate
to inform the House that the Senate
has passed

S. B. No. 528, A bill to be entitled
"An Act providing for an additional
assistant district attorney for the
Fifty-third Judicial District of Texas,
prescribing his qualifications, who
shall be authorized to perform any
official act devolving upon or author-
ized to be performed by the district
attorney of such district, requiring
him to take the oath of office, and
who shall hold office subject to the
will of the district attorney, making
an appropriation for his salary for
the ensuing biennium, and declaring
an emergency."

Respectfully,

BOB BARKER,
Secretary of the Senate.

BILLS ORDERED NOT PRINTED

On motion of Mr. Calvert, Senate
Bills Nos. 485 and 486 were ordered
not printed.

REQUEST OF THE SENATE
GRANTED

On motion of Mr. McCalla, the
House granted the request of the Sen-
ate for a conference committee to
adjust the differences between the
House and Senate on Senate Bill
No. 17.

HOUSE BILL NO. 558 WITH SENATE AMENDMENTS

Mr. Quinn called up from the Speaker's table, with Senate amendment, for consideration of the amendment,

H. B. No. 558, A bill to be entitled "An Act to establish and maintain a live stock and poultry agricultural experiment station in the piney woods region of Southeast Texas, in one of the following counties: Liberty, Orange, Hardin, Newton, Jasper, or Tyler; authorizing the Board of Directors of the Agricultural and Mechanical College of Texas to select a suitable location for said station, and empowering said board of directors to establish and maintain the same, to accept not less than two hundred acres of land as a donation for said experimental station, and to accept money or anything of value for the establishment and maintenance of said station, and declaring an emergency."

The Speaker laid the bill before the House, with the Senate amendments.

On motion of Mr. Quinn, the House concurred in the Senate amendment.

PROVIDING FOR PRINTING OF LEGISLATIVE MANUAL

Mr. Morse offered the following resolution:

Be it resolved by the House of Representatives, That there be printed, for the use of the House, four hundred (400) copies of the Texas Legislative Manual of the Forty-fourth Legislature. Said manual shall contain the Constitution of Texas up-to-date, proposed amendments to the Constitution, the Rules of the House, the Joint Rules of the House and Senate, all of which rules shall be properly indexed and annotated; a list of the standing committees of the House, and the names of the Representatives and their respective districts. It shall also contain the names of the officers of the House and of the representatives of the press in attendance. Three hundred are to be bound in flexible morocco covers, at a cost not to exceed fifty cents (50¢) per copy above the cost of the same books in flexible cloth, according to the specifications of the contract with the public printer. The remaining one hundred copies are to be bound in cloth. The printing and binding of such books shall be done by sepa-

rate contract through the Board of Control. The members of the House, officers of the House, and the members of the press in attendance shall be provided with a morocco-bound manual.

The Speaker of the House shall appoint someone to properly annotate and edit the said Legislative Manual; such person to receive seven dollars and fifty cents (\$7.50) per day for not more than sixty (60) days. The cost of same shall be paid out of the Contingent Funds of the House in accordance with the direction of the Speaker of the House and the Chairman of the Contingent Expense Committee of the House.

The resolution was read second time, and was adopted.

RELATIVE TO CONSIDERATION OF CERTAIN BILLS

Mr. McConnell offered the following resolution:

H. C. R. No. 114, To provide for the consideration of certain bills relative to labor.

Whereas, On the twenty-third day of April, A. D. 1935, the House, by resolution, provided that a night session of the House be set apart for the consideration of said labor bills; and

Whereas, On April 29, 1935, the House, by resolution duly adopted, did set apart the night session of Monday, April twenty-ninth, for the consideration of such labor bills designated in the previous resolution and listed on the labor calendar; and

Whereas, There remains undisposed of on said labor calendar, awaiting the action of the House, House Bill No. 877 by McCalla, House Bill No. 268 by Youngblood, House Bill No. 430 by Roark, House Bill No. 764 by McConnell, House Bill No. 468 by Quinn, House Bill No. 174 by Jones of Atascosa, House Bill No. 283 by Hankamer, House Bill No. 32 by Jefferson, House Bill No. 391 by McKee, House Bill No. 409 by Davisson of Eastland, House Bill No. 434 by McKee, House Bill No. 10 by Jefferson, House Bill No. 30 by Jefferson, and House Bill No. 479 by McKinney, House Bill No. 597 by Quinn and twenty others; and

Whereas, A most devastating depression for several years has been knocking at the door of those worthy

citizens who earn their bread by the sweat of their brow; and

Whereas, Many billions of dollars have been appropriated to help combat the destructiveness of this depression; and His Excellency, President Franklin D. Roosevelt and the Congress of the United States, as well as our people in all parts of the Republic, are doing all in their power to safeguard against the evil effects of the depression; and

Whereas, It is urgent that this Legislature do all in its power to help the "forgotten man," who goes to work with his dinner pail in his hand; therefore, be it

Resolved by the House of Representatives, the Senate concurring, That Joint Rules 23, 24, and 32, be, and are hereby, suspended, to permit the consideration, at 7:30 p. m., Monday, May 6, 1935, the above House bills named and enumerated in this resolution; that said rules be suspended so as to permit the consideration of said bills at said time, and that said bills be taken up out of their regular order and that all necessary rules be suspended to make possible such consideration; and that said bills be considered in their numerical order as they appear on the House calendar.

McCONNELL,
YOUNGBLOOD,
QUINN,
BRADBURY.

The resolution was read second time.

Mr. Alsup raised a point of order on further consideration of the resolution, on the ground that the resolution seeks to set as special order the bills named in the resolution, and that same is in violation of the Rules.

The Speaker overruled the point of order.

Question recurring on the resolution, yeas and nays were demanded.

The resolution was adopted by the following vote:

Yeas—82

Adamson	Celaya
Ash	Clayton
Atchison	Collins
Beck	Colquitt
Bradbury	Cooper
Bradford	Craddock
Broyles	Daniel
Burton	Davisson
Butler of Karnes	of Eastland
Calvert	Dickison

Dunlap of Hays	McFarland
Dwyer	McKee
England	Moore
Fain	Morris
Fisher	Morrison
Ford	Morse
Fox	Newton
Frazer	Nicholson
Gibson	Olsen
Glass	Padgett
Graves	Patterson
Greathouse	Quinn
Hankamer	Reader
Herzik	Roach of Hunt
Hill	Roberts
Hofheinz	Rogers
Holland	Rutta
Hoskins	Settle
Huddleston	Shofner
Jackson	Smith
James	Spears
Jones of Falls	Stovall
Jones of Runnels	Tennyson
Jones of Wise	Venable
Keefe	Waggoner
Lanning	Walker
Latham	Wells
Leath	Wood of Harrison
Lemens	Worley
Lucas	Young
McCalla	Youngblood
McConnell	

Nays—31

Adkins	Knetsch
Aikin	Lindsey
Alsup	Lotief
Bergman	Luker
Bourne	Mauritz
Canon	McKinney
Cowley	Reed of Bowie
Fuchs	Reed of Dallas
Hardin	Riddle
Harris of Dallas	Roane
Head	Russell
Hodges	Scarborough
Howard	Stinson
Hunt	Thornton
Hunter	Westfall
King	

Absent

Alexander	Hyder
Cagle	Jefferson
Caldwell	Jones of Atascosa
Colson	Lange
Crossley	Leonard
Davis	Palmer
Davison of Fisher	Payne
Dunagan	Petsch
Dunlap of Kleberg	Roach of Angelina
Duvall	Stanfield
Good	Steward
Gray	Tarwater
Hanna	Tillery
Harris of Archer	Wood of Montague

Absent—Excused

Butler of Brazos	Jones of Shelby
Farmer	Moffett
Fitzwater	Pope
Hartzog	Roark

TO SUSPEND CERTAIN JOINT RULES

Mr. Stinson offered the following resolution:

H. C. R. No. 115, To suspend certain Joint Rules to consider House Bill No. 396.

Be it resolved by the House of Representatives, the Senate concurring, That Rules Nos. 22, 23 and 24, and all other rules of the Joint Rules of the House and Senate, be, and the same are hereby suspended, in order that the House may take up and consider, until disposed of, House Bill No. 396, being an enabling act to carry out the constitutional provisions for exempting Y. M. C. A. and Y. W. C. A. property from taxes.

The resolution was read second time.

(Mr. Spears in the Chair.)

Question recurring on the resolution, it was adopted.

TO SUSPEND CERTAIN JOINT RULES

Mr. Jones of Runnels offered the following resolution:

H. C. R. No. 116, To suspend certain joint rules to consider House Bill No. 187.

Whereas, On account of the crowded condition of the calendar of the House of Representatives, it will be impossible to bring up for consideration House Bill No. 187, dealing with the subject of the Fireman's Pension Fund, unless Joint Rules of the House and Senate Nos. 23, 24, and 32 be suspended for the purpose of consideration of this bill; now, therefore, be it

Resolved by the House of Representatives, the Senate concurring, That Joint Rules of the House and Senate Nos. 23, 24, and 32 be suspended for the purpose of the consideration of said House Bill No. 187.

JONES of Runnels,
GREATHOUSE,
SMITH.

The resolution was read second time, and was adopted.

TO SUSPEND CERTAIN JOINT RULE

Mr. Lanning offered the following resolution:

H. C. R. No. 117, To suspend certain Joint Rule to consider House Bill No. 454.

Be it resolved by the House of Representatives, the Senate concurring, That Joint Rule 23 be suspended for the purpose of taking up out of order House Bill No. 454, relative to public school insurance, and that said rule be suspended until this bill is finally disposed of.

The resolution was read second time, and was adopted.

TO SUSPEND CERTAIN JOINT RULE

Mr. Lemens offered the following resolution:

H. C. R. No. 112, To suspend certain Joint Rule to consider House Bill No. 345.

Be it resolved by the House of Representatives of the Forty-fourth Legislature, the Senate concurring, That Joint Rule No. 23 be suspended for the purpose of taking up out of order House Bill No. 345, and that said rule be suspended until the bill is disposed of.

LEMENS,
COLSON.

The resolution was read second time, and was adopted.

HOUSE BILL NO. 680 WITH SENATE AMENDMENTS

Mr. Hardin called up from the Speaker's table, with Senate amendments, for consideration of the amendments,

H. B. No. 680, A bill to be entitled "An Act regulating the use of State-owned motor vehicles by employes of State departments, bureaus, commissions, institutions, and agencies in political campaigns; fixing penalties, and declaring an emergency."

The Chair laid the bill before the House, and the Senate amendments were read.

Mr. Hardin moved that the House concur in the Senate amendments.

Mr. McFarland raised a point of order on further consideration of the Senate amendments, on the ground that the amendments violate certain constitutional provisions.

The Chair overruled the point of order.

Mr. Harris of Dallas moved that the Senate amendments be printed in the Journal, and further consideration of same be postponed until 11 o'clock a. m., tomorrow.

On motion of Mr. Lotief, the motion by Mr. Harris of Dallas was tabled.

Mr. McFarland moved that the House do not concur in the Senate amendments, and that a conference committee be requested to adjust the differences between the two houses on the bill.

Mr. Lotief moved to table the motion by Mr. McFarland.

Question recurring on the motion to table, it was lost.

Question then recurring on the motion by Mr. McFarland, it prevailed.

HOUSE JOINT RESOLUTION NO. 19 WITH SENATE AMEND- MENTS

Mr. Reed of Bowie called up, from the Speaker's table, with Senate amendments, for consideration of the amendments,

H. J. R. No. 19, Proposing an amendment to Article III of the Constitution of the State of Texas by adopting a new section to be known as Section 51-b, which shall provide that the Legislature shall have the power to co-operate with the United States of America in providing for and paying an old age pension to actual bona fide citizens of Texas over the age of sixty-five years who have not been convicted of a felony within ten years next prior to the granting of such pension and who have never been convicted of being an habitual criminal, etc.

The Chair laid the resolution before the House, with the Senate amendments.

Mr. Reed of Bowie moved that the House concur in the Senate amendments.

Mr. Glass moved that the House do not concur in the Senate amendments, and that a conference committee be requested to adjust the differences between the two houses on the resolution.

Mr. Reed of Bowie moved to table the motion by Mr. Glass.

Question recurring on the motion to table, yeas and nays were demanded.

The motion to table prevailed by the following vote:

Yeas—82

Adamson	Hyder
Adkins	James
Aikin	Jefferson
Alexander	Jones of Atascosa
Alsup	Jones of Runnels
Atchison	Jones of Wise
Beck	King
Bergman	Knetsch
Bourne	Lange
Bradford	Lanning
Broyles	Latham
Burton	Luker
Butler of Karnes	Mauritz
Canon	McFarland
Celaya	McKee
Cooper	McKinney
Cowley	Moore
Craddock	Morris
Crossley	Morrison
Daniel	Morse
Davis	Newton
Dickison	Olsen
Dunagan	Palmer
Dwyer	Payne
England	Reed of Bowie
Fain	Reed of Dallas
Fox	Roach of Hunt
Frazer	Rogers
Fuchs	Russell
Gibson	Settle
Graves	Smith
Gray	Steward
Greathouse	Stinson
Harris of Archer	Stovall
Harris of Dallas	Thornton
Head	Venable
Herzik	Waggoner
Hill	Westfall
Hodges	Wood of Harrison
Hoskins	Worley
Howard	Young
Hunt	Youngblood

Nays—41

Bradbury	Hankamer
Cagle	Hanna
Caldwell	Hardin
Calvert	Hofheinz
Clayton	Holland
Collins	Huddleston
Colquitt	Jackson
Colson	Jones of Falls
Davisson	Lemens
of Eastland	Lindsey
Dunlap of Hays	Lotief
Fisher	Lucas
Ford	McCalla
Glass	McConnell

Nicholson	Scarborough
Padgett	Shofner
Patterson	Tennyson
Quinn	Tillery
Roane	Walker
Roberts	Wells
Rutta	Wood of Montague

Absent

Ash	Leonard
Davison of Fisher	Petsch
Dunlap of Kleberg	Reader
Duvall	Riddle
Good	Roach of Angelina
Hunter	Spears
Keefe	Stanfield
Leath	Tarwater

Absent—Excused

Butler of Brazos	Jones of Shelby
Farmer	Moffett
Fitzwater	Pope
Hartzog	Roark

The House then concurred in the Senate amendments to House Joint Resolution No. 19 by the following vote:

Yeas—121

Adamson	Fisher
Adkins	Ford
Aikin	Fox
Alexander	Frazer
Alsup	Fuchs
Atchison	Gibson
Beck	Glass
Bergman	Gray
Bourne	Greathouse
Bradbury	Hankamer
Bradford	Hanna
Broyles	Hardin
Burton	Harris of Archer
Butler of Karnes	Harris of Dallas
Cagle	Head
Caldwell	Herzik
Calvert	Hodges
Canon	Hofheinz
Celaya	Holland
Clayton	Hoskins
Collins	Howard
Colquitt	Huddleston
Colson	Hunt
Cooper	Hyder
Cowley	Jackson
Craddock	James
Crossley	Jefferson
Daniel	Jones of Atascosa
Davis	Jones of Falls
Davison of Fisher	Jones of Runnels
Davisson	Jones of Wise
of Eastland	Keefe
Dickison	King
Dunagan	Knetsch
Dwyer	Lanning
Fain	Latham

Lemens	Roach of Angelina
Lotief	Roach of Hunt
Lucas	Rogers
Luker	Russell
Mauritz	Rutta
McCalla	Scarborough
McConnell	Settle
McFarland	Shofner
McKee	Smith
McKinney	Steward
Moffett	Stinson
Moore	Stovall
Morris	Tarwater
Morrison	Tennyson
Morse	Thornton
Newton	Tillery
Nicholson	Venable
Olsen	Waggoner
Padgett	Walker
Palmer	Wells
Payne	Westfall
Quinn	Wood of Harrison
Reader	Wood of Montague
Reed of Bowie	Worley
Reed of Dallas	Youngblood

Nays—5

Graves	Roane
Lindsey	Roberts
Patterson	

Absent

Ash	Lange
Dunlap of Hays	Leath
Dunlap of Kleberg	Leonard
Duvall	Petsch
England	Riddle
Good	Spears
Hill	Stanfield
Hunter	Young

Absent—Excused

Butler of Brazos	Jones of Shelby
Farmer	Pope
Fitzwater	Roark
Hartzog	

TO SUSPEND CERTAIN JOINT RULES

Mr. Calvert offered the following resolution:

H. C. R. No. 121, To Suspend certain Joint Rules.

Resolved by the House of Representatives, the Senate concurring, That Joint Rules Nos. 23, 24, and 32 be suspended for the purpose of taking up and considering House Bills Nos. 929 and 930 until the same are finally disposed of.

The resolution was read second time, and was adopted.

TO SUSPEND CERTAIN JOINT
RULE

Mr. Rogers offered the following resolution:

H. C. R. No. 118, To suspend certain Joint Rule.

Be it resolved by the House of Representatives of the Forty-fourth Legislature, the Senate concurring, That Joint Rule No. 23 be suspended to allow House Bill No. 559, relating to publication of reports of commissioners court proceedings, to be taken up and considered until finally disposed of.

The resolution was read second time, and was adopted.

TO SUSPEND CERTAIN JOINT
RULES

Mr. Greathouse offered the following resolution:

H. C. R. No. 119, To suspend certain Joint Rules.

Be it resolved by the House of Representatives, the Senate concurring, That Rules Nos. 22, 23, 24, and 32, and all other Rules of the Joint Rules of the House and Senate be, and the same are hereby, suspended in order that the House may take up and consider until disposed of House Bill No. 601, providing for standard weight packages for flour.

GREATHOUSE,
ADAMSON,
STINSON,
STOVALL,
COLLINS.

The resolution was read second time, and was adopted.

TO SUSPEND CERTAIN JOINT
RULES

Mr. Adkins offered the following resolution:

H. C. R. No. 120, To suspend certain Joint Rules.

Be it resolved by the House of Representatives of the Forty-fourth Legislature, the Senate concurring, That Joint Rules Nos. 22, 23, and 32, and all other Rules inconsistent herewith, be suspended in order that House Bill No. 745 be taken up and considered until finally disposed of.

ADKINS,
GRAY.

The resolution was read second time, and was lost.

HOUSE BILL ON FIRST READING

The following House bill, introduced today, was laid before the House, read first time, and referred to the appropriate committee, as follows:

By Mr. Leonard:

H. B. No. 999, A bill to be entitled "An Act validating \$450,000 improvement bonds and \$794,500 refunding bonds of Hidalgo County Water Control and Improvement District No. 7, Hidalgo County, Texas, and proceedings had in connection therewith; validating proceedings authorizing the cancellation of \$1,600,000 bonds of said district; providing for the payment of said bonds; etc., and declaring an emergency."

Referred to Committee on Conservation and Reclamation.

TO SUSPEND CERTAIN JOINT
RULES

Mr. Keefe offered the following resolution:

H. C. R. No. 123, To suspend certain Joint Rules.

Be it resolved by the House of Representatives of the Forty-fourth Legislature, the Senate concurring, That Joint Rules Nos. 22, 23, and 32, and all other Rules inconsistent herewith, be suspended in order that House Bill No. 837 be taken up and considered until finally disposed of.

The resolution was read second time, and was adopted.

REPORT OF THE COMMITTEE AP-
POINTED TO MAKE CERTAIN
INVESTIGATION AT RETRIEVE
STATE PRISON FARM

On motion of Mr. McCalla, the following committee report was ordered printed in the Journal:

Committee Room,

Austin, Texas, May 6, 1935.

Hon. Coke Stevenson, Speaker, and Members of the House of Representatives, Forty-fourth Legislature.

Pursuant to House Simple Resolution No. 121, the undersigned committee of the House visited Retrieve State Farm to investigate charges that convicts there confined had been subjected to brutal treatment to such an extent that they had mutilated them-

selves in order to escape further punishment.

Acting under authority of House Simple Resolution No. 128, witnesses were interrogated under oath, with no person present other than members of the committee, a stenographer assigned to the committee, and the witness.

In order to elicit, as near as might be, the whole truth from each witness, we advised each that nothing that he revealed to the committee would be divulged by the committee as coming from that particular witness, so that there might be no fear of reprisals from any source. That promise has been, and will be, kept.

We spent two days at Retrieve State Farm. We questioned more than fifty convicts, including all of those there confined who had maimed themselves, and others picked at random from among the inmates. We questioned eleven guards. We heard, under oath, Captain I. K. Kelley, manager of the farm, and two members of the State Prison Board, Dr. Sidney Lister and Mr. W. A. Boyett. We extended to Mr. W. R. Dulaney, another Prison Board member who had been active in bringing to light conditions at this farm, an invitation to appear before the committee.

With this preliminary statement, we beg leave to report, as follows:

Since September, 1934, there have been twenty-four convicts at Retrieve Farm reported to have mutilated themselves. Three of those twenty-four testified before the committee that their injuries were the result of accident, rather than intentional, self-inflicted wounds.

Thus we found that, in that period of approximately seven months, there had been twenty-one self-mutilations at Retrieve Farm, or an average of some three per month.

To discover the reason for this and to prevent its recurrence was our primary purpose.

We found that of these convicts who had mutilated themselves, one is serving a one-year sentence for liquor law violation. Others face terms of from two to seventy-five years. Their ages are in the twenties and thirties. Many of them are at least second offenders.

To those who did not have the opportunity to interrogate these men

and study them as we did, it may be difficult to present the true picture that their testimony and demeanor afforded us.

From all the facts available, we believe that these self-mutilations can not be traced to any one cause.

Just as each convict presents a problem individual to himself, so does each act of self-mutilation present a case for individual study, his attitude toward the punishment inflicted upon him for violating the laws of his State, and his desire, if any, for reformation.

We believe that these maimings are traceable to three principal causes. In some cases, two or more causes may contribute to the convict's action. These causes are:

- (1) A desire to avoid work in the fields and to be transferred to an "easier" farm;
- (2) Agitation by other convicts; and
- (3) Mistreatment at the hands of certain guards.

Desire to Avoid Work

The work in the fields is admittedly hard. This farm is badly poisoned with Johnson grass, and, in our opinion, there are not enough men at the farm to do the work properly.

The facilities for housing them are utterly inadequate, and the dormitory is not centrally located on the farm, necessitating, frequently, a long walk to the field in the mornings and another back to camp after a hard day's work in the fields, not to mention the noonday trip to and from the camp when the men are not working in remote sections of the farm.

However, we found many men of average physique who testified that the work was not such as to impair the health of an ordinary, able-bodied man.

It is the intention of the prison management to move the white prisoners to Darrington Farm when the dormitory now under construction there is completed and to operate Retrieve with negro prisoners. We understand that a fireproof dormitory has been provided and will be built shortly at Retrieve Farm.

To illustrate this first cause, one convict who mutilated himself had worked in the field only four or five days when he broke his leg with an axe, and admittedly had not been mistreated.

It serves to illustrate the difficulty in arriving at the real reason for these mutilations to show that some convicts who crippled themselves had been transferred on the day that they struck themselves with axes, out of the squad of the guard about whom they complained and into the squad of another guard whom some convicts testified did not abuse any prisoner.

Agitation

There can be no question that, among those confined at this farm, there are a number of agitators who incite other convicts to mutilate themselves, in the hope that by so doing they may be able to obtain the discharge of some officials at the farm, and with new men in charge, find an opportunity to escape.

One convict told us "I crippled myself because it was 'talked' in the building."

By far the majority of these self-mutilation victims are of low mentality, many of them having gone through only the second or third grade in school and, unlike others who were unable to obtain more schooling, made no further effort to improve themselves mentally.

Their minds present a fertile field to these agitators.

Brutality

We are convinced that there have been extra-legal punishments inflicted in the field at Retrieve Farm, without the consent of those responsible for the management of this farm.

Texas permits use of "the bat" and the barrel as legal punishments for infractions of prison discipline. The bat is a leather strap, fastened to a wooden handle, and twenty lashes are administered for the more serious infractions. This is done in the presence of a physician attached to the prison medical staff. For lesser infractions, the convict is made to stand on the barrel for hours at a time, with intermittent rest periods.

Many of the convicts questioned testified that guards had abused them in the field; that they had been struck with ropes and pieces of rubber hose; and that they had been kicked and otherwise mistreated in violation of prison regulations.

There is foundation in fact for these complaints.

We found also that one man had been chained to holes in the floor of the dormitory for violation of prison discipline, and in violation of law and prison regulations.

Prior to our visit to this farm, one guard had been discharged by the farm manager for striking a convict. In addition, Captain J. D. Pierce, in whom all of the inmates expressed confidence, has been transferred to the farm as assistant manager. Conditions improved after this transfer.

We made recommendations to the general manager and farm manager as to personnel and policy at Retrieve Farm, and have been informed that those recommendations are being carried out.

Without exception, the convicts who testified that they had mutilated themselves to avoid further punishment at the hands of guards, said that they had not reported this abuse by the guards to Captain Kelley.

Some of them told us they felt it would serve no purpose, while many other convicts testified that Captain Kelley would, if these conditions were made known to him, have put a stop to it promptly.

It is to be kept in mind that many of the inmates at this farm are dangerous and confirmed criminals, and will stop at nothing to gain their freedom. For some of them there is no hope of reformation.

It is to be kept in mind also that the Texas Prison System comprised as it is of one central prison and a large number of outlying farms, requires, in order that it may not be too great a burden upon the taxpaying citizen, that these men render a full day's service for each day that they are imprisoned.

But it is to be kept in mind, further, that the Statutes of Texas do not prescribe maiming, from whatever cause, as part of the punishment to be borne by those who have violated the law.

Regardless of the cause for this mutilation, it should be prevented.

Just as each case of self-mutilation presents need for individual study to determine the cause, so does each convict present an individual case to those responsible for his detention and his return to society a better man, if possible.

Too long Texas has regarded convicts as a class of men, instead of

regarding each convict as an individual case.

There is urgent need for segregation of prisoners. If one farm is to be that to which the hardened criminals are sent, there is no reason or excuse for confining at the same farm any man, serving his first sentence, for a less serious violation of the law.

In seeking to improve the physical plant of the Prison System and to reduce the losses which the system has sustained over a period of years—and great strides have been taken along this line in recent years—we must not lose sight of the welfare of the inmates themselves.

We must remember that they are to be released sometime, and that if they are returned to the outside world with an opportunity to "go straight" and do "go straight", the State will profit as a result, not only in a citizen regained, but in the matter of dollars and cents, as well.

To this end we recommend to those responsible for the conduct of the Prison System, and to this Legislature, that immediate steps be taken to provide for segregation of convicts and that a definite policy of segregation be adopted by statute, if need be.

We urgently recommend the immediate employment of and an appropriation for a psychiatrist and psychologist, who will devote their entire time to studying and classifying the prisoners as individuals, to direct this plan of segregation, and to see to it that the welfare of these wards of the State be not overlooked. An effort is being made to segregate these prisoners as far as present facilities will permit, but the services of men trained in this kind of work are urgently needed.

We recommend, in addition, that this committee be authorized to delegate one or more of its members to follow up the results of this investigation, with no expense to the State other than mileage to and from the farm, and to report at the next session of the Legislature whether there has been improvement in the condition of the system from a human standpoint.

We feel pardonable pride in reporting that the total cost of this investigation to the Contingent Expense Fund, out of which payment of expenses was authorized for the five

members of the committee and the stenographer, was \$37.14.

Respectfully submitted,

CANON,
DAVIS,
ALEXANDER,
McKINNEY,
McCALLA.

HOUSE BILL NO. 85 WITH SENATE AMENDMENTS

Mr. Duvall called up from the Speaker's table, with Senate amendments, for consideration of the amendments,

H. B. No. 85, A bill to be entitled "An Act to amend Article 1650 of the Revised Civil Statutes of Texas of 1925 with respect to the authority of the county auditor to appoint assistants; providing for oath and bond of assistants; providing for an application by the county auditor to the district judges having jurisdiction, setting forth number, qualifications, duties and compensation of such assistants; providing for approval and certification of such appointments to the commissioners court by the district judges having jurisdiction; etc., and declaring an emergency."

The Chair laid the bill before the House, with the Senate amendments.

Mr. Duvall moved that the House do not concur in the Senate amendments, and that a conference committee be requested to adjust the differences between the two houses on the bill.

The motion prevailed.

AUTHORIZING CERTAIN CORRECTION IN HOUSE BILL NO. 730

Mr. Bergman offered the following resolution:

H. C. R. No. 122, Authorizing certain correction in House Bill No. 730.

Whereas, House Bill No. 730 has passed the House and Senate; and

Whereas, It has been found that the Senate adopted an amendment and the caption was not changed to conform with the body of the bill; therefore, be it

Resolved by the House of Representatives, the Senate concurring, That the Enrolling Clerk of the House be instructed to amend the caption to conform with the body of the bill.

The resolution was read second time, and was adopted.

HOUSE BILL NO. 749 WITH SENATE AMENDMENTS

Mr. Alexander called up from the Speakers' table, with Senate amendments, for consideration of the amendments,

H. B. No. 749, A bill to be entitled "An Act amending Section 1, Section 2, Section 4, Section 5, Section 6, Section 7, Section 8, Section 9, Section 10, Section 11, Section 12, Section 13, Section 15, House Bill No. 247, Chapter 44, General Laws of the Regular Session of the Forty-third Legislature, and providing that venue of criminal prosecution shall be in Travis County or in the county where an offense is committed; providing that conviction may be had upon the uncorroborated testimony of an accomplice; etc."

The Chair laid the bill before the House, with the Senate amendments.

On motion of Mr. Alexander, the House concurred in the Senate amendments by the following vote:

Yeas—112

Adamson	Frazer
Aikin	Gibson
Alexander	Glass
Alsup	Good
Ash	Gray
Atchison	Greathouse
Beck	Hankamer
Bourne	Hanna
Bradbury	Hardin
Bradford	Harris of Archer
Broyles	Harris of Dallas
Burton	Head
Butler of Karnes	Herzik
Calvert	Hill
Canon	Hodges
Clayton	Hofheinz
Collins	Hoskins
Cooper	Howard
Cowley	Huddleston
Craddock	Hunt
Daniel	Hunter
Davis	Hyder
Davisson	Jackson
of Eastland	James
Dickison	Jefferson
Dunagan	Jones of Falls
Dunlap of Hays	Jones of Runnels
Duvall	Jones of Wise
Dwyer	Keefe
England	King
Fain	Knetsch
Fisher	Lanning
Fox	Latham

Lemens	Roach of Hunt
Lindsey	Roane
Lotief	Rogers
Mauritz	Russell
McCalla	Scarborough
McFarland	Settle
McKee	Shofner
McKinney	Smith
Moffett	Steward
Moore	Stinson
Morrison	Stovall
Morse	Tarwater
Newton	Tennyson
Nicholson	Thornton
Olsen	Venable
Padgett	Waggoner
Palmer	Walker
Patterson	Wells
Payne	Westfall
Petsch	Wood of Harrison
Quinn	Wood of Montague
Reed of Bowie	Worley
Reed of Dallas	Youngblood
Roach of Angelina	

Nays—5

Colquitt	Lucas
Crossley	Morris
Davison of Fisher	

Present—Not Voting

Cagle

Absent

Adkins	Leath
Bergman	Leonard
Caldwell	Luker
Celaya	McConnell
Colson	Reader
Dunlap of Kleberg	Riddle
Ford	Roberts
Fuchs	Rutta
Graves	Spears
Holland	Stanfield
Jones of Atascosa	Tillery
Lange	Young

Absent—Excused

Butler of Brazos	Jones of Shelby
Farmer	Pope
Fitzwater	Roark
Hartzog	

Reason for Vote

I voted "nay" on final passage of this bill because I do not believe it constitutional to pass a law whereby a truck owned in Texas can haul 75 gallons of fuel gasoline and whereby an out-of-State truck can only haul 30 gallons. I believe it contrary to interstate commerce laws.

LUCAS.

AUTHORIZING CERTAIN CORRECTION IN HOUSE BILL NO. 902

Mr. Howard offered the following resolution:

H. C. R. No. 124, Authorizing certain correction in House Bill No. 902.

Whereas, House Bill No. 902 has passed the House and Senate; and

Whereas, The committee amendments adopted by the Senate inadvertently contain certain typographical errors; now, therefore, be it

Resolved by the House of Representatives, the Senate concurring, That the Enrolling Clerk of the House be, and is hereby, instructed to make the following corrections: Omit the word "not" after the word "shall" in line 22, page 1, of committee amendment No. 1, and strike out the following words "repealing all laws or parts of laws in conflict therewith" in committee amendment No. 2.

The resolution was read second time, and was adopted.

CONFERENCE COMMITTEE ON HOUSE BILL NO. 85

The Speaker announced the appointment of the following conference committee on House Bill No. 85: Messrs. Duvall, McCalla, Alexander, Gibson and Celaya.

CONFERENCE COMMITTEE ON HOUSE BILL NO. 755

The Speaker announced the appointment of the following conference committee on House Bill No. 755: Messrs. Luker, Wells, Knetsch, Hankamer and James.

MESSAGE FROM THE SENATE

Senate Chamber,
Austin, Texas, May 6, 1935.

Hon. Coke Stevenson, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has adopted the conference committee report on Senate Bill No. 369, by the following vote: Yeas, 28; nays, 1.

The Senate has adopted

H. C. R. No. 116, Suspending Joint Rules Nos. 23, 24 and 32 so as to con-

sider House Bill No. 187, dealing with the Fireman's Pension Fund.

Respectfully,

BOB BARKER,
Secretary of the Senate.

BILLS AND RESOLUTIONS SIGNED BY THE SPEAKER

The Speaker signed, in the presence of the House, after giving due notice thereof, and their captions had been read severally, the following enrolled bills and resolutions:

S. B. No. 525, "An Act to reorganize the Eighty-seventh Judicial District of Texas, to be constituted of Limestone, Freestone and Anderson Counties, Texas, and to provide for the terms thereof, and declaring an emergency."

S. B. No. 524, "An Act to provide for fees for constables whose precincts lie in counties having a population of more than 200,000 and less than 300,000 by the last preceding Federal Census and whose precincts lie in whole or in part in an incorporated city or town having a population of more than 10,000 by the last preceding Federal Census, such fees to be the same as those now allowed to sheriffs and like fees allowed such officers in all cases where the defendant is convicted or pleads guilty, and declaring an emergency."

S. B. No. 401, "An Act to prohibit the use of certain words in the name of corporations hereafter incorporated under the laws of this State, providing that all charters of companies containing any of such words in their corporate name shall be canceled and forfeited unless an amendment is filed in the manner provided by law or certain permission secured to use said name within ninety (90) days after this Act becomes effective, and declaring an emergency."

S. B. No. 405, "An Act amending Article 1019-a of the Code of Criminal Procedure of the State of Texas, enacted as Chapter 200, Acts of the Forty-second Legislature, 1931, providing for fees of officers in certain cases, and declaring an emergency."

S. B. No. 513, "An Act granting to A. T. Sayers, and as next friend to Leonard Sayers, a minor, of San Antonio, Bexar County, Texas, per-

mission to bring suit against the State of Texas and/or the State Highway Department in the District Court of Bexar County, Texas, for damages sustained to his automobile and for personal injuries to said Leonard Sayers, on account of the negligence of an employe of the State Highway Department; providing for place of venue; providing such suit may be filed within two years after this Act takes effect; providing for the method of serving process and for procedure governing the trial and determination of such suit, and declaring an emergency."

S. B. No. 341, "An Act providing that investigators appointed by district attorneys and criminal district attorneys shall have the same authority as sheriffs to make arrests in the county where appointed; providing that such investigators shall have authority to serve warrants, capiases, subpoenas, and all other processes in criminal cases issued by any district court, county court, or justice court in the State; providing that such investigators shall be under the sole authority and direction of said district attorneys and criminal district attorneys; providing that such investigators shall not draw fees for performing such duties, and declaring an emergency."

S. B. No. 516, "An Act authorizing the Judge of the Criminal District Court of Bexar County, Texas, to transfer criminal cases to the Thirty-seventh, Forty-fifth, Fifty-seventh and Seventy-third District Courts, Bexar County, Texas; describing the procedure therefor and the duty of the district clerk in relation thereto, and providing that all writs, processes, bonds and recognizances in such cases so transferred shall be transferred with said cases and be as binding in the court to which the case or cases are transferred as in the court in which same were originally issued, and declaring an emergency."

S. B. No. 494, "An Act making certain emergency appropriations out of the General Revenue of the State Treasury of the State of Texas for certain State Eleemosynary Institutions for additional support and maintenance of said institutions for the fiscal year ending August 31, 1935, and declaring an emergency."

S. B. No. 393, "An Act making the appropriation out of the general revenue of the State of Texas for the State Board of Water Engineers to pay the salary of two (2) assistant engineers for certain supplies, travel expenses and auto maintenance, and declaring an emergency."

H. B. No. 101, "An Act amending Article 879 and Article 879-b of Chapter 6, Title 13, Revised Criminal Statutes of Texas, 1925, as amended by Acts of the Fortieth Legislature, page 316, Chapter 215, and amended by Acts of the Fourth Called Session of the Forty-first Legislature, page 29, Chapter 19, providing an open season or period of time when it shall be lawful to hunt, take, or kill wild mourning doves, wild quail of all kinds and wild Mexican pheasants, or chachalaca, in the North and South Zones as such zones are defined in Article 878 of the Revised Penal Code, etc., and declaring an emergency."

H. B. No. 201, "An Act repealing Article 307 of the Revised Civil Statutes of Texas, 1925; further providing that said Act shall be effective on and after July 1, 1937."

H. B. No. 14, "An Act repealing Senate Bill No. 265, Chapter 14, Acts of the Regular Session of the Forty-second Legislature, providing for a rural school supervisor in certain counties in lieu of teachers' institutes; prescribing the duties of said supervisor, etc., and declaring an emergency."

H. B. No. 13, "An Act to amend Chapter 39 of the General and Special Laws of the Forty-second Legislature, which was an Act providing for a rural school supervisor in certain counties in lieu of teachers' institutes; prescribing the duties of said supervisor; providing for visits to schools in the county and work in co-operation with teachers, etc., and declaring an emergency."

H. B. No. 753, "An Act to make it unlawful to take, hunt, trap, shoot, or kill any deer, wild turkey, or wild quail of any species, for a period of three (3) years in McCulloch County, Texas; fixing penalty, and declaring an emergency."

H. B. No. 178, "An Act to amend Section 1, Chapter 56, Acts of the Fortieth Legislature, Article 7589-a, Vernon's Revised Civil Statutes, re-

specting the diversion of the natural flow of surface waters or permitting such diversion to continue or impound such waters or permit the impounding thereof to continue in such manner to damage property of another by the overflow of such diverted or impounded waters and providing for damages at law and in equity occasioned thereby, and providing that this Act shall in no way affect the construction and maintenance of levees or other improvements for controlling overflows and freshets in rivers, etc."

H. B. No. 344, "An Act to amend Section eleven (11) of the Acts of 1927, Fortieth Legislature, Regular Session, Chapter 22, page 26, House Bill No. 80, as amended by the Acts of 1933, Forty-third Legislature, Chapter 50, page 61, Special Laws, House Bill No. 435, so as to provide by this Act, and as an amendment of said Act of the Forty-third Legislature, that the two judges of the County Courts at Law Nos. 1 and 2, of Bexar County, Texas, shall not be required to furnish bonds, etc., and declaring an emergency."

H. B. No. 828, "An Act amending Article 7257 of the Revised Civil Statutes of 1925, providing additional duties of the tax assessor and collector, requiring an entry upon the tax rolls when payment of taxes have been made; providing for a seal for this office, and prescribing that such entry shall be taken as evidence of the payment of said tax, and declaring an emergency."

H. B. No. 472, "An Act to authorize the State Highway Commission of Texas to provide for the removal of bridges obstructing the construction of the Intracoastal Waterway of Louisiana and Texas, and to replace same out of any funds available for that purpose, and declaring an emergency."

H. B. No. 381, "An Act to permit and authorize the Fort Worth National Bank of Fort Worth, Texas, to bring and prosecute an action against the State of Texas on certain contracts; fixing the time within which the same may be brought; fixing the venue thereof in Travis County, Texas; providing that any judgment recovered be paid from the State Highway Fund; providing for service of citation, and declaring an emergency."

H. B. No. 829, "An Act exempting from taxation institutions or organizations such as Texas Federation of Women's Clubs of Texas or local organizations of such a body, and declaring an emergency."

H. B. No. 328, "An Act to amend Chapter 116, General Laws, Forty-third Legislature, Regular Session, 1933, the same being House Bill No. 122, printed at page 288, General Laws of the State of Texas, passed by the Forty-third Legislature at the Regular Session, 1933, and declaring an emergency."

H. B. No. 732, "An Act amending Section 14, Acts 1927, Fortieth Legislature, First Called Session, page 116, Chapter 41, as amended by Acts of 1929, Forty-first Legislature, First Called Session, page 7, Chapter 4, Section 3, by adding thereto a new Subsection (26), and declaring an emergency."

H. B. No. 832, "An Act amending Article 5142 of the Revised Civil Statutes, 1925, as amended by the Acts of the Fortieth Legislature, page 335, Chapter 228, and Article 5142-a, Acts 1931, Forty-second Legislature, page 759, Chapter 302; providing for juvenile officers; providing for their selection, compensation, expenses, and prescribing their duties and authorities, etc., and declaring an emergency."

H. B. No. 867, "An Act creating a conservation and reclamation district, to be known as 'Lower Rio Grande Flood Control District,' pursuant to and for the purposes set forth in Section 59, of Article XVI of the Constitution of the State of Texas, and to be a governmental agency, body politic and corporate without power to mortgage its property, or levy taxes or assessments, or to pledge the credit of the State, etc., and declaring an emergency."

H. B. No. 228, "An Act providing for the payment of the salary of the ex-officio superintendent of public instruction in all counties having not less than 6,800 and not more than 6,900 population, according to the last preceding Federal Census, from the county available school fund; repealing all laws and parts of laws in conflict herewith, and declaring an emergency."

H. B. No. 363, "An Act creating the Commission of the Volunteer Army of the War with Spain, to be composed of the Governor of the State of Texas, the Adjutant General of Texas, and the Department Commander of the United Spanish War Veterans of Texas, and their successors in office, all without extra compensation, and the Governor as chairman; making an appropriation; etc., and declaring an emergency."

H. B. No. 380, "An Act making an appropriation to pay judgments of the district and county courts; refunding to the heirs, devisees, legatees, or legal representatives of deceased persons, whose estates have escheated to the State, such sums of money belonging to such escheated estates as have been paid into the Public Treasury; authorizing the payment of such claims on the taking effect of this Act, and filing with the Comptroller of a copy of the order of the court under seal of the court, and declaring an emergency."

H. B. No. 791, "An Act to prohibit the taking of fish from the fresh waters of Comal County by any means or device other than by ordinary pole and line, or throw line, or trot-line with hooks not less than six feet apart, except by the use of artificial bait, and declaring an emergency."

H. B. No. 420, "An Act amending Article 2094, Chapter 7, Title 42, Revised Civil Statutes of Texas, 1925, as amended by Acts of 1929, Forty-first Legislature, page 89, Chapter 43, Section 1, providing for jury wheel system of selecting jurors in certain counties having a population of at least fifty-eight thousand inhabitants or having therein a city having population of at least twenty thousand, as shown by the preceding Federal Census; prescribing duties of the tax collector, tax assessor, sheriff, county clerk, and district clerk in regard thereto; provided in discretion of commissioners court in all counties having population of at least twenty-four thousand inhabitants jury wheel system of selecting jurors may be adopted, and declaring an emergency."

H. B. No. 471, "An Act amending Article 195, Chapter 2, Title 4, Code of Criminal Procedure of Texas, 1925, and declaring an emergency."

H. B. No. 863, "An Act to validate all proceedings, orders and resolutions whereby any water improvement district or water control and improvement district, or irrigation district now organized and existing under the Constitution and laws of this State (other than water improvement districts now organized and existing under the Constitution and/or laws of this State which obtain their water supply under contract with the United States) whether pursuant to an election or without such election, has provided for refunding any part or all of its outstanding bonds or indebtedness theretofore authorized by an election held for that purpose as provided by law; etc., and declaring an emergency."

H. B. No. 835, "An Act amending Article 7260, Revised Civil Statutes of 1925, and declaring an emergency."

H. B. No. 203, "An Act to validate all proceedings and acts of governing bodies of cities containing a population of not more than 11,000 nor less than 10,500, according to any Federal Census, in connection with the issuance of funding warrants and funding bonds heretofore authorized or attempted to be authorized under the provisions of Chapter 163, Acts Forty-second Legislature, Regular Session, and declaring an emergency."

H. B. No. 846, "An Act to declare it unlawful to take, hunt, trap, ensnare, kill, or attempt to will, by any means whatsoever, any wild deer, buck, doe, fawn, or wild turkey in Palo Pinto and Stephens Counties for a period of five (5) years from and after the passage of this Act; providing a penalty therefor, and declaring an emergency."

H. B. No. 306, "An Act amending Title 116 of the 1925 Revised Civil Statutes of Texas by adding thereto Article 6699-b, providing for the appointment, compensation, duties, expense, equipment, and removal, etc., of county traffic officers."

H. B. No. 377, "An Act creating a closed season upon wild deer, buck, doe, fawn, or wild turkey for a period of six (6) years in the County of Robertson, in the State of Texas; making it unlawful for any person to hunt, trap, ensnare, kill, or attempt to

kill, by any means whatsoever, any wild deer, buck, doe, fawn, or wild turkey within said county for a period of six (6) years; providing a penalty therefor, and declaring an emergency."

H. B. No. 87, "An Act making appropriation to pay to parties named, funds heretofore paid into the State Treasury under the provisions of Articles 3644 (3574) to 3660 (3591) of Revised Civil Statutes, authorizing State Treasurer to pay same, and declaring an emergency."

H. B. No. 928, "An Act to exempt banking institutions from furnishing security for any deposits to the extent such deposits are insured under Section 12-b of the Federal Reserve Act, as amended, and declaring an emergency."

H. B. No. 861, "An Act granting to John Mulkey of Ellis County, Texas, permission to bring suit against the State of Texas and the State Highway Department, in the District Court of Ellis County, Texas, for damages sustained to his property by the construction of roadbed and excavating sides of roadbed adjacent to and upon his land on Highway No. 8 in Ellis County, Texas, impounding water on his land and destroying his farm; etc., and declaring an emergency."

H. B. No. 820, "An Act amending Title 26 of the Revised Civil Statutes, 1925, as amended by Chapter 66, House Bill No. 122, of the General and Special Laws of the Forty-third Legislature, Second Called Session, page 146; providing a new article of said Title 26 to be hereafter known as Article 930-b of said Title 26 of the Revised Civil Statutes of Texas; etc., and declaring an emergency."

S. C. R. No. 51, Memorializing Congress to remove the Federal gasoline tax.

H. C. R. No. 94, Urging consideration of legislation to aid drought-stricken areas.

H. C. R. No. 98, Requesting establishment of CCC camps along Sulphur River.

H. C. R. No. 108, Authorizing certain corrections in House Bill No. 178.

S. J. R. No. 14, Proposing an amendment to Section 5, of Article IV, of the Constitution of the State of Texas, fixing the salary of the Governor; providing for its submission to the voters of the State of Texas as required by the Constitution, and making an appropriation therefor.

H. C. R. No. 103, Relative to proposed State institution at Milford, Texas.

SENATE BILL ON FIRST READING

The following Senate bill, received from the Senate today, was laid before the House, read first time, and referred to the appropriate committee, as follows:

Senate Bill No. 528, to the Committee on Judicial Districts.

RECESS

On motion of Mr. Russell, the House, at 12 o'clock m., took recess to 2 o'clock p. m., today.

AFTERNOON SESSION

The House met at 2 o'clock p. m., and was called to order by the Speaker.

BILL ORDERED NOT PRINTED

On motion of Mr. Leonard, House Bill No. 999 was ordered not printed.

TO SUSPEND CERTAIN JOINT RULES

Mr. McKinney offered the following resolution:

H. C. R. No. 125, To suspend certain Joint Rules.

Be it resolved by the House of Representatives, the Senate concurring, That Rules Nos. 23, 24, and 32 of the Joint Rules of the House and Senate be, and the same are hereby, suspended for the purpose of considering, until finally disposed of, House Bill No. 996, for the purpose of paying expenses of shipping the bodies of dead convicts to their place of burial upon evidence of the indigency of parents or those requesting such shipment.

McKINNEY,
CELAYA.

The resolution was read second time, and was adopted.

TO SUSPEND CERTAIN JOINT RULES

Mr. Good offered the following resolution:

H. C. R. No. 126, To suspend certain Joint Rules.

Be it resolved by the House of Representatives, the Senate concurring, That Rules Nos. 22, 23 and 32 of the Joint Rules of the House and Senate be, and the same are hereby, suspended in order that the House may take up and consider, until disposed of, House Bill No. 777.

The resolution was read second time, and was adopted.

Mr. Lemens moved a call of the House for the purpose of maintaining a quorum until 5 o'clock p. m., today, and the call was duly ordered.

On motion of Mr. Alsup, the Sergeant-at-Arms was instructed to bring in all absent members within the city who are not ill.

MESSAGE FROM THE SENATE

Senate Chamber,

Austin, Texas, May 6, 1935.

Hon. Coke Stevenson, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has granted the request of the House for a conference committee to adjust the differences between the two houses on House Bill No. 85. The following have been appointed on the part of the Senate: Senators Rawlings, Moore, Redditt, Collie, and Pace.

The Senate has granted the request of the House for a conference committee to adjust the differences between the two houses on House Bill No. 674. The following have been appointed on the part of the Senate: Senators Van Zandt, Beck, Hopkins, Pace, and Poage.

Respectfully,

BOB BARKER,
Secretary of the Senate.

CONCERNING ALLEGED IRREGULARITIES IN CERTAIN STATE DEPARTMENT

Mr. Hunter offered the following resolution:

H. C. R. No. 105, Concerning alleged irregularities in certain State Department.

Whereas, The signers of this resolution have received a copy of a report submitted by the State Auditor under date of April 29, 1935, in which it is stated that certain irregularities have been found to exist in the administration of the Department of Agriculture and especially the administration of the Jack and Stallion Fund, which was created by the Texas Racing Act; and

Whereas, We have been advised that sworn testimony on these subjects has been given before the committee created by House Simple Resolution No. 39, and that such sworn testimony substantiates many of the statements contained in the State Auditor's report; and

Whereas, The charges made against the Commissioner of Agriculture are such that we feel this Legislature can not ignore, and we believe that this Legislature should be afforded an opportunity to invoke the provisions of Article 5964, Revised Civil Statutes of 1925, entitled "Removed by Address," which is quoted, as follows:

"The Judges of the Supreme Court, Court of Criminal Appeals, Courts of Civil Appeals, district courts and criminal district courts, the Commissioner of Agriculture, Commissioner of Insurance, and Banking Commissioner shall be removed from office by the Governor on the address of two-thirds of each house of the Legislature, for wilful neglect of duty, incompetency, habitual drunkenness, oppression in office, breach of trust, or other reasonable cause which shall not be sufficient ground for impeachment. The cause for such removal shall be stated at length in such address, and entered on the Journals of each house. The officer so intended to be removed shall have notice of the cause assigned for his removal, and shall be admitted to a hearing in his own defense before any vote for such address shall be heard. The vote in all such cases shall be taken by yeas and nays and entered on the Journals of each house, respectively."

Whereas, The signers of this petition are of the opinion that the Commissioner of Agriculture should be called upon to answer the following charges:

1. His admitted violations of the Nepotism Act.

2. His lack of good faith in entering into a contract with one Jim Tate for the purpose of hauling State-owned animals and resulting in an evasion of the Nepotism Act.

3. To account for the actions of his agent, W. D. Thurman, in accepting commissions and bribes.

4. His acceptance as a gift of two fine Percheron mares, the sworn value of which was \$400, from persons with whom he was dealing for the State in his official capacity as Commissioner of Agriculture.

5. His diversion of Special Jockey Funds from the purpose to which they were dedicated by law.

6. His diversion of procreation fees from purposes to which they were dedicated by law.

7. His fictitious purchases of animals with his own personal funds and personal funds of employes, thereby distorting the records of the Department of Agriculture, and confusing public funds with personal funds.

8. His wilful neglect of duty and general incompetency in connection with the collection of fees and handling of funds received in the regular conduct of the Department of Agriculture.

9. The lending of his official office without sanction of law to promote the interest of milk, cream and baby chick organizations, with detrimental results to the actual producers of these products.

Whereas, The details supporting the above charges are to be found in the State Auditor's report on the Department of Agriculture, the Racing Commission, the sworn testimony in charge of the House Investigating Committee, and other reports on file with the committee, and all of these reports, together with the supporting testimony and such other records, are hereby made a part hereof; and now, therefore, be it

Resolved by the House of Representatives of the Forty-fourth Legislature, the Senate concurring, That the Speaker of the House shall appoint a committee of five members from the House, and the Lieutenant Governor shall appoint a committee of five members of the Senate to act as a steering committee and, in joint session, hear any evidence to be pre-

sented by the Commissioner of Agriculture and such other evidence as is necessary to determine the guilt or innocence of the Commissioner of Agriculture; and, be it

Resolved, That this action be taken immediately.

Respectfully submitted,

HUNTER,
HARDIN,
WESTFALL,
OLSEN.

The resolution was read second time.

Mr. Alexander moved that the resolution be referred to the committee heretofore appointed to investigate expenditures in the various State departments, with instructions to make a recommendation to the House within two days.

Mr. Hunter moved to table the motion by Mr. Alexander.

Question recurring on the motion to table, yeas and nays were demanded.

The motion to table prevailed by the following vote:

Yeas—78

Adamson	Huddleston
Aikin	Hunt
Alsup	Hunter
Beck	Hyder
Bourne	Jones of Atascosa
Bradbury	Jones of Wise
Broyles	King
Burton	Lange
Butler of Brazos	Lanning
Butler of Karnes	Latham
Cagle	Lemens
Canon	Lindsey
Colson	Lotief
Cooper	Lucas
Craddock	McCalla
Crossley	McConnell
Davis	McFarland
Davisson	Morris
of Eastland	Newton
Dunlap of Hays	Olsen
Fain	Padgett
Fox	Palmer
Frazer	Patterson
Gibson	Petsch
Glass	Reed of Bowie
Good	Riddle
Gray	Roach of Angelina
Hankamer	Roach of Hunt
Hardin	Roane
Harris of Dallas	Rogers
Herzik	Rutta
Hill	Scarborough
Hofheinz	Settle
Hoskins	Smith
Howard	Tennyson

Thornton	Wood of Harrison
Tillery	Wood of Montague
Waggoner	Young
Walker	Youngblood
Westfall	

Nays—56

Adkins	James
Alexander	Jefferson
Ash	Jones of Falls
Atchison	Jones of Runnels
Bergman	Keefe
Caldwell	Knetsch
Calvert	Leath
Celaya	Luker
Clayton	Mauritz
Colquitt	McKee
Cowley	McKinney
Daniel	Moffett
Davison of Fisher	Moore
Dickison	Morrison
Dunagan	Morse
Duvall	Nicholson
Dwyer	Quinn
England	Reader
Fisher	Reed of Dallas
Ford	Roberts
Fuchs	Russell
Greathouse	Shofner
Hanna	Spears
Harris of Archer	Stinson
Head	Stovall
Hodges	Tarwater
Holland	Wells
Jackson	Worley

Present—Not Voting

Collins Graves

Absent

Bradford	Stanfield
Dunlap of Kleberg	Steward
Leonard	Venable
Payne	

Absent—Excused

Farmer	Jones of Shelby
Fitzwater	Pope
Hartzog	Roark

Mr. McKee offered the following amendment to the resolution:

Amend House Concurrent Resolution No. 105 by striking out all below the resolving clause, and insert in lieu thereof the following:

"The Speaker of the House and the Lieutenant Governor shall each appoint a committee of five members from each body, none of whom are signers of this resolution, to interrogate before the bar of the House, Tuesday, May 7, in joint session with the Senate, the Commissioner of Agriculture, the State Comptroller

and the State Treasurer, as to the disposal of the funds as referred to on page 2 of this resolution, and to hear such other evidence as may come before the session in order that the guilt or innocence of the aforesaid may be established."

McKEE,
FUCHS.

Mr. Wood of Harrison raised a point of order on further consideration of the amendment by Mr. McKee, on the ground that the amendment is not germane to the resolution.

The Speaker overruled the point of order.

Mr. Hunter moved to table the amendment by Mr. McKee.

Question recurring on the motion to table, yeas and nays were demanded.

The motion to table prevailed by the following vote:

Yeas—120

Adamson	Fisher
Aikin	Ford
Alexander	Fox
Alsup	Frazer
Ash	Gibson
Atchison	Glass
Beck	Gray
Bergman	Greathouse
Bourne	Hankamer
Bradbury	Hanna
Bradford	Hardin
Broyles	Harris of Archer
Burton	Harris of Dallas
Butler of Brazos	Herzik
Butler of Karnes	Hodges
Cagle	Hofheinz
Calvert	Holland
Canon	Hoskins
Celaya	Howard
Collins	Huddleston
Colquitt	Hunt
Colson	Hunter
Cooper	Hyder
Cowley	Jackson
Craddock	James
Crossley	Jefferson
Daniel	Jones of Atascosa
Davis	Jones of Falls
Davison of Fisher	Jones of Runnels
Davisson	Jones of Wise
of Eastland	Keefe
Dickison	King
Dunagan	Lanning
Dunlap of Hays	Latham
Duvall	Leath
Dwyer	Lemens
England	Lindsey
Fain	Lotief

Lucas	Roach of Hunt
Mauritz	Roberts
McCalla	Rogers
McConnell	Russell
McFarland	Rutta
McKinney	Scarborough
Moffett	Settle
Moore	Shofner
Morris	Smith
Morrison	Spears
Morse	Stinson
Newton	Tennyson
Nicholson	Thornton
Olsen	Tillery
Padgett	Waggoner
Palmer	Walker
Patterson	Wells
Quinn	Westfall
Reader	Wood of Harrison
Reed of Bowie	Wood of Montague
Reed of Dallas	Worley
Riddle	Young
Roach of Angelina	Youngblood

Nays—9

Caldwell	McKee
Clayton	Petsch
Fuchs	Roane
Hill	Stovall
Luker	

Present—Not Voting

Graves	Knetsch
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Absent

Adkins	Payne
Dunlap of Kleberg	Stanfield
Good	Steward
Head	Tarwater
Lange	Venable
Leonard	

Absent—Excused

Farmer	Jones of Shelby
Fitzwater	Pope
Hartzog	Roark

Question recurring on the resolution, yeas and nays were demanded.

The resolution was adopted by the following vote:

Yeas—92

Adamson	Butler of Karnes
Adkins	Cagle
Aikin	Canon
Alsup	Celaya
Beck	Collins
Bourne	Colquitt
Bradbury	Cooper
Bradford	Cowley
Broyles	Craddock
Burton	Crossley
Butler of Brazos	Davis

Davison of Fisher	McConnell
Davisson	McFarland
of Eastland	Moffett
Dunagan	Morris
Dunlap of Hays	Newton
Fain	Olsen
Fisher	Padgett
Fox	Palmer
Frazer	Patterson
Gibson	Payne
Glass	Reader
Gray	Reed of Bowie
Hardin	Riddle
Herzik	Roach of Angelina
Hodges	Roach of Hunt
Hofheinz	Roane
Holland	Rogers
Hoskins	Russell
Howard	Rutta
Huddleston	Scarborough
Hunt	Settle
Hunter	Shofner
Hyder	Smith
Jones of Atascosa	Spears
Jones of Falls	Tennyson
Jones of Runnels	Thornton
Jones of Wise	Tillery
Keefe	Waggoner
King	Walker
Lanning	Westfall
Latham	Wood of Harrison
Lemens	Wood of Montague
Lindsey	Worley
Lotief	Young
Lucas	Youngblood
McCalla	

Nays—39

Alexander	James
Ash	Leath
Atchison	Luker
Bergman	Mauritz
Caldwell	McKee
Clayton	McKinney
Colson	Moore
Daniel	Morse
Dickison	Nicholson
Dunlap of Kleberg	Petsch
Duvall	Pope
Dwyer	Quinn
Ford	Reed of Dallas
Fuchs	Roberts
Hankamer	Steward
Harris of Archer	Stinson
Harris of Dallas	Stovall
Head	Tarwater
Hill	Venable
Jackson	

Present—Not Voting

Calvert	Knetsch
England	Wells
Graves	

Absent

Good	Hanna
Greathouse	Jefferson

Lange
Leonard

Morrison
Stanfield

Absent—Excused

Farmer
Fitzwater
Hartzog

Jones of Shelby
Roark

Mr. Hardin moved to reconsider the vote by which the resolution was adopted, and to table the motion to reconsider.

The motion to table prevailed.

MESSAGE FROM THE SENATE

Senate Chamber,
Austin, Texas, May 6, 1935.

Hon. Coke Stevenson, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has adopted

S. C. R. No. 52, Recalling Senate Bill No. 52 from the Governor's office for correction.

H. C. R. No. 124, Instructing the Enrolling Clerk of the House to make certain corrections to House Bill No. 902.

The Senate has passed

S. B. No. 529, A bill to be entitled "An Act creating the County Court at Law of Travis County, Texas; defining the jurisdiction of said court; regulating practice therein; prescribing the terms of said court; providing for clerk and seal for said court and prescribing the duties of the sheriff and county attorney in relation to said court, limiting the jurisdiction of the County Court of Travis County, and providing for the transfer of cases pending in the County Court of Travis County to the said court hereby created, and for appeals from inferior courts to the court hereby created, and for appeals from said court; creating the office of judge of the County Court at Law of Travis County; and declaring an emergency."

The Senate has granted the request of the House for a conference committee to adjust the differences between the two houses on House Bill No. 755.

The following have been appointed on the part of the Senate: Senators

Beck, Redditt, Woodruff, Duggan and Poage.

Respectfully,
BOB BARKER,
Secretary of the Senate.

(Mr. Duvall in the Chair.)

CONFERENCE COMMITTEE ON HOUSE BILL NO. 680

The Speaker announced the appointment of the following conference committee on House Bill No. 680: Messrs. Hardin, McFarland, Huddleston, Hunt, and Davisson of Eastland.

BILLS AND RESOLUTIONS SIGNED BY THE SPEAKER

The Speaker signed, in the presence of the House, after giving due notice thereof, and their captions had been read severally, the following enrolled bills and resolutions:

S. B. No. 369, "An Act making an appropriation to be paid out of the General Revenue Fund of the State of Texas the sum of six thousand one hundred forty-eight dollars and eighty cents (\$6,148.80) not otherwise appropriated, to cover taxes due by the State of Texas to the Sugar Land Independent School District covering the years from 1918 to 1927, inclusive, and declaring an emergency."

H. B. No. 902, "An Act amending Article 1058 under Title 15 of the Code of Criminal Procedure, Revised Statutes of 1925, et seq.; increasing the salaries of bailiffs or deputy sheriffs in certain counties for service as grand jury bailiff or as deputy sheriff, etc., and declaring an emergency."

H. B. No. 439, "An Act to amend Section 14, Chapter 186, Senate Bill No. 74, passed at the Regular Session, Thirty-ninth Legislature, as amended by Chapter 10, Senate Bill No. 24, passed at the Third Called Session, Forty-first Legislature, as amended by Chapter 79, Senate Bill No. 82, passed at the Fifth Called Session, Forty-first Legislature, as amended by Chapter 207, Senate Bill No. 531, passed at the Regular Session, Forty-third Legislature, so as to correct the reference to Article 6674-n, in Section 1, Chapter 207, Acts of Regular Session, Forty-third Legislature, and making same refer

to Section 14, Chapter 186, Senate Bill No. 74, passed at the Regular Session, Thirty-ninth Legislature; to confer authority on the State Highway Commission to purchase, or on failure to agree on price, then acting by and through the Attorney General of Texas or the county attorney in the county of which the land and/or materials is situated, to condemn land for any new or wider right of way or for materials necessary to any highway in connection with the locating, relocating, maintenance, or construction of such highway, and/or to acquire by purchase or by condemnation the use or acquisition of land necessary for stream bed diversion in connection with the locating, relocating, maintenance, or construction of a designated State highway, and declaring an emergency."

H. B. No. 642, "An Act to amend Article 3430 of the Revised Civil Statutes of Texas, 1925, so as to provide that in addition to the other powers of executors or administrators they shall have the power, upon the proper order of the court, to compromise or pay secured claims which have been allowed and approved as required by law against the estate by conveying the real estate securing the payment of the claim to the holder thereof in full payment, liquidation, and satisfaction of such claim, and the cancellation of any and all notes, deeds of trust, mortgages, or other liens evidencing or securing the payment of such claim, and declaring an emergency."

H. B. No. 897, "An Act to amend Section 5 of Chapter 271, Acts of the Regular Session of the Forty-second Legislature, which is Article 5421-c, Revised Civil Statutes, providing for the sale of public free school lands under preference right to include a provision providing for the purchase of lands surveyed under Article 5323, Revised Statutes, 1925, in cases where the field notes have been filed in the General Land Office and approved, but the applicant has failed to file his application to purchase within the time prescribed by law; and authorizing a revaluation of such areas, and declaring an emergency."

H. B. No. 492, "An Act to amend Section 75 of Article 2696 of the Revised Statutes of Texas, relating to the transfers of children from an in-

dependent school district or other school districts in any county, to some other independent district or other district in the same county, and providing that the per capita apportionment shall be paid by the State Treasurer to the independent school district to which the child is transferred, or to the county superintendent in all other districts, to be distributed by said county superintendent, and providing for an appeal from the acts of the county superintendent to the county board of trustees in all cases when an independent or other district shall be dissatisfied with the action of the county superintendent in the transfers made by said county superintendent."

H. B. No. 558, "An Act to establish and maintain a live stock and poultry agricultural experiment station in the piney woods region of Southeast Texas, in one of the following counties: Liberty, Orange, Hardin, Newton, Jasper, or Tyler; authorizing the Board of Directors of the Agricultural and Mechanical College of Texas to select a suitable location for said station, and empowering said board of directors to establish and maintain the same, to accept not less than two hundred acres of land as a donation for said experimental station, and to accept money or anything of value for the establishment and maintenance of said station, and declaring an emergency."

H. B. No. 873, "An Act for the purpose of prohibiting the dredging of oysters in the headwaters of Matagorda Bay east of a line from Palacios Point on the mainland in Matagorda County across Matagorda Bay to Cotton Bayou on the Matagorda peninsula; providing a penalty, and declaring an emergency."

H. C. R. No. 124, Authorizing Enrolling Clerk to make certain correction in House Bill No. 902.

H. C. R. No. 116, To suspend certain Joint Rules for the purpose of considering House Bill No. 187.

H. C. R. No. 111, Authorizing Enrolling Clerk to make certain correction in House Bill 558.

RECALLING SENATE BILL NO. 52

The Chair laid before the House, for consideration at this time, the following resolution:

S. C. R. No. 52, Recalling Senate Bill No. 52 from the Governor's Office.

Resolved by the Senate, the House of Representatives concurring, That the Governor be, and he is hereby requested, to return to the Senate, Senate Bill No. 52, for correction and further consideration, and that the signatures of the presiding officers of the Senate and House of Representatives be erased from the bill.

The resolution was read second time, and was adopted.

CONSIDERATION OF CONFERENCE COMMITTEE REPORT ON SENATE BILL NO. 146

The Speaker laid before the House, for consideration at this time, the conference committee report on Senate Bill No. 146, which report was printed in the Journal on Friday, May 3.

Mr. Petsch moved that the report be adopted.

Question—Shall the motion to adopt conference committee report on Senate Bill No. 146 prevail?

(Speaker in the Chair.)

SENATE BILL ON FIRST READING

The following Senate bill, received from the Senate today, was laid before the House, read first time, and referred to the appropriate committee, as follows:

Senate Bill No. 529, to the Committee on Judicial Districts.

ADJOURNMENT

Mr. Hanna moved that the House adjourn until 9:30 o'clock a. m., tomorrow.

Mr. Quinn moved that the House recess to 7:30 o'clock p. m., today.

Question recurring on the motion by Mr. Hanna, yeas and nays were demanded.

The motion prevailed by the following vote:

Yeas—75

Adamson	Broyles
Adkins	Butler of Brazos
Alexander	Butler of Karnes
Alsup	Caldwell
Atchison	Calvert
Beck	Canon
Bergman	Clayton
Bourne	Collins

Colquitt
Cowley
Craddock
Crossley
Daniel
Dunagan
Dunlap of Hays
Duvall
Ford
Frazer
Fuchs
Good
Graves
Hanna
Hardin
Head
Hill
Hodges
Howard
Hunt
Hunter
Hyder
James
Jones of Atascosa
Keefe
King
Leath
Lindsey
Lotief
Luker

Mauritz
McFarland
McKinney
Moffett
Morris
Morrison
Nicholson
Palmer
Payne
Petsch
Pope
Reed of Bowie
Reed of Dallas
Riddle
Roach of Angelina
Roach of Hunt
Roane
Roberts
Russell
Scarborough
Settle
Steward
Stinson
Tarwater
Tillery
Waggoner
Westfall
Wood of Montague
Young

Nays—58

Aikin	Jones of Wise
Ash	Knetsch
Bradbury	Lanning
Burton	Latham
Cagle	Lemens
Celaya	Lucas
Davis	McCalla
Davison of Fisher	McConnell
Davisson	Moore
of Eastland	Newton
Dickison	Olsen
Dwyer	Padgett
England	Patterson
Fain	Quinn
Fisher	Reader
Fox	Rogers
Gibson	Rutta
Glass	Shofner
Greathouse	Smith
Hankamer	Spears
Harris of Archer	Stovall
Hofheinz	Tennyson
Holland	Thornton
Hoskins	Venable
Huddleston	Walker
Jackson	Wells
Jefferson	Wood of Harrison
Jones of Falls	Worley
Jones of Runnels	Youngblood
Jones of Shelby	

Absent

Bradford	Cooper
Colson	Dunlap of Kleberg

Gray
Harris of Dallas
Herzik
Lange

Leonard
McKee
Morse
Stanfield

Absent—Excused

Farmer
Fitzwater

Hartzog
Roark

The House, accordingly, at 5:30 o'clock p. m., adjourned until 9:30 o'clock a. m., tomorrow.

APPENDIX

STANDING COMMITTEE REPORTS

The following committees have filed favorable reports on bills, as follows:

Banks and Banking: Senate Bills Nos. 485 and 486.

Conservation and Reclamation: House Bill No. 999 and Senate Bill No. 509.

Highways and Motor Traffic: Senate Bill No. 153.

Judiciary: Senate Bills Nos. 477 and 523.

State Affairs: House Bill No. 997.

REPORTS OF THE COMMITTEE ON ENROLLED BILLS

Committee Room,

Austin, Texas, May 6, 1935.

Hon. Coke Stevenson, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. C. R. No. 124, Instructing the Enrolling Clerk to make certain corrections in House Bill No. 902,

Has carefully compared same, and finds it correctly enrolled.

ROANE, Vice-Chairman.

Committee Room,

Austin, Texas, May 6, 1935.

Hon. Coke Stevenson, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. C. R. No. 111, Instructing the Enrolling Clerk to insert a corrective amendment to House Bill No. 558,

Has carefully compared same, and finds it correctly enrolled.

ROANE, Vice-chairman.

Committee Room,

Austin, Texas, May 6, 1935.

Hon. Coke Stevenson, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. C. R. No. 116, Suspending Joint Rules of the House and Senate, Nos. 23, 24, and 32, for the purpose of considering House Bill No. 187,

Has carefully compared same, and finds it correctly enrolled.

ROANE, Vice-Chairman.

Committee Room,

Austin, Texas, May 3, 1935.

Hon. Coke Stevenson, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. C. R. No. 94, Asking the Federal and State Governments to co-operate in projects to help drouth stricken areas,

Has carefully compared same, and finds it correctly enrolled.

ROANE, Vice-Chairman.

Committee Room,

Austin, Texas, May 6, 1935.

Hon. Coke Stevenson, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. C. R. No. 108, Instructing the Enrolling Clerk of the House to make certain typographical corrections in House Bill No. 178,

Has carefully compared same, and finds it correctly enrolled.

ROANE, Vice-Chairman.

Committee Room,

Austin, Texas, May 4, 1935.

Hon. Coke Stevenson, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 4, "An Act to amend Chapter 210, Acts of the Regular Session of the Forty-first Legislature, empowering the State Text Book Commission to adopt a multiple list of text books in German and Czech languages for use in high schools; commercial arithmetic, and bookkeeping in the English language, and also other high school texts on such other subjects for use in junior high schools as may be determined by a

seven-ninths vote of said Commission, repealing all laws and parts of laws in conflict herewith, and declaring an emergency,"

Has carefully compared same, and finds it correctly enrolled.

ATCHISON, Chairman.

Committee Room,

Austin, Texas, May 6, 1935.

Hon. Coke Stevenson, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. C. R. No. 98, Requesting establishment of Civilian Conservation Corps Camps along Sulphur River,

Has carefully compared same, and finds it correctly enrolled.

ROANE, Vice-Chairman.

Committee Room,

Austin, Texas, May 6, 1935.

Hon. Coke Stevenson, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. C. R. No. 103, Providing for a committee to make an investigation of the Presbyterian school property at Milford, Texas,

Has carefully compared same, and finds it correctly enrolled.

ROANE, Vice-Chairman.

Committee Room,

Austin, Texas, May 4, 1935.

Hon. Coke Stevenson, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 115, "An Act to amend Article 1580, Chapter 5, Title 18, of the Revised Penal Code of Texas, 1925, relating to the hours of labor on public work; repealing Article 5166, Revised Civil Statutes of Texas, 1925, and declaring an emergency,"

Has carefully compared same, and finds it correctly enrolled.

ATCHISON, Chairman.

Committee Room,

Austin, Texas, May 3, 1935.

Hon. Coke Stevenson, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 166, "An Act amending Article 3832, Title 57, 1925, Revised

Civil Statutes of the State of Texas, adding thereto other forms and kinds of personal property that shall be reserved to every family, exempt from attachment or execution and every other species of forced sale for the payment of debts, and declaring an emergency,"

Has carefully compared same, and finds it correctly enrolled.

ATCHISON, Chairman.

Committee Room,

Austin, Texas, May 3, 1935.

Hon. Coke Stevenson, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 270, "An Act to amend Article 1659, Chapter 6, Title 19, of the Revised Criminal Statutes of the State of Texas, 1925, relating to separate coaches for the accommodation of white and negro passengers, so as to include commercial motor vehicle within the terms of the Act, and declaring an emergency,"

Has carefully compared same, and finds it correctly enrolled.

ATCHISON, Chairman.

Committee Room,

Austin, Texas, May 3, 1935.

Hon. Coke Stevenson, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 312, "An Act to amend Article 4758 of the Revised Civil Statutes of Texas, of 1925, providing for the deposit of securities, or the payment of taxes, fines, penalties, certificates of authority, valuation of policies, licenses, fees or any other special burden by an insurance corporation, fraternal beneficiary society or reciprocal exchange organized in a State, the laws of which require similar deposits in said State by similar companies organized under the laws of the State of Texas and transacting business in said State; making for deposit of securities and payment of taxes, fees, etc., a condition precedent to such companies doing business in this State; providing for the revoking of the certificates of authority for refusal to make such deposits, or to pay such taxes, fees, etc.; and providing further that insurance corporations organized under the laws of any State

or country other than these United States, shall, as to the provisions of this Act, be considered a corporation of that State, wherein their general deposit for the benefit of their policyholders is made, and declaring an emergency,"

Has carefully compared same, and finds it correctly enrolled.

ATCHISON, Chairman.

Committee Room,

Austin, Texas, May 3, 1935.

Hon. Coke Stevenson, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 349, "An Act amending Section 6-a, Article 3883, Revised Civil Statutes of Texas, 1925, as amended by Chapter 59, page 123, Acts of the Forty-third Legislature, Second Called Session, providing for the fees of office that may be retained by certain precinct officers in certain counties, and declaring an emergency,"

Has carefully compared same, and finds it correctly enrolled.

ATCHISON, Chairman.

Committee Room,

Austin, Texas, May 3, 1935.

Hon. Coke Stevenson, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 496, "An Act authorizing county boards of school trustees to abolish and/or subdivide common school districts having fewer than ten (10) scholastics and not having conducted a school for a period of five (5) years; providing for the adjustment of bonded indebtedness and the distribution of funds; repealing all laws and parts of laws in conflict herewith, and declaring an emergency,"

Has carefully compared same, and finds it correctly enrolled.

ATCHISON, Chairman.

Committee Room,

Austin, Texas, May 3, 1935.

Hon. Coke Stevenson, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 912, "An Act prohibiting taking, killing, or possessing wild

foxes for the purpose of barter or sale, providing a penalty for the violation thereof, in certain counties, and declaring an emergency,"

Has carefully compared same, and finds it correctly enrolled.

ATCHISON, Chairman.

Committee Room,

Austin, Texas, May 3, 1935.

Hon. Coke Stevenson, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 469, "An Act to amend Sections 34, 41, 65 (so noted in the Revised Civil Statutes of Texas of 1925), Article 199, Title 8, of the Revised Civil Statutes of Texas, of 1925, and Chapter 92, General Laws of the Forty-first Legislature, Regular Session, changing the time of holding the terms of the District Courts of the Thirty-fourth, Forty-first, and Sixty-fifth Judicial Districts of Texas; and permitting the continuing of the terms of court in Hudspeth and Culberson Counties by the court; and repealing all laws and parts of laws in conflict herewith, and declaring an emergency,"

Has carefully compared same, and finds it correctly enrolled.

ATCHISON, Chairman.

Committee Room,

Austin, Texas, May 3, 1935.

Hon. Coke Stevenson, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 911, "An Act providing that it shall be unlawful to take or kill squirrel in Cherokee County during certain months; providing penalty for the violation thereof, and declaring an emergency,"

Has carefully compared same, and finds it correctly enrolled.

ATCHISON, Chairman.

Committee Room,

Austin, Texas, May 3, 1935.

Hon. Coke Stevenson, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 608, "An Act to amend Section 10 of Chapter 42 of the Acts of the Forty-third Legislature, Regular Session, pages 49-50, amending

Section 10, of Chapter 42, with reference to the salary to be paid the deputy clerk of the County Court of Jefferson County at Law; providing that if any part of this Act be declared invalid the remainder of this Act shall not be affected, and declaring an emergency,"

Has carefully compared same, and finds it correctly enrolled.

ATCHISON, Chairman.

Committee Room,

Austin, Texas, May 3, 1935.

Hon. Coke Stevenson, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 578, "An Act amending Article 2550 of the Revised Civil Statutes of Texas, 1925, as amended by Chapter 201, Acts of the Regular Session of the Forty-third Legislature, authorizing and providing for county depositories for county funds; providing the means and methods of selecting said depositories; providing for the execution of the bond by said depositories, and declaring an emergency,"

Has carefully compared same, and finds it correctly enrolled.

ATCHISON, Chairman.

Committee Room,

Austin, Texas, May 3, 1935.

Hon. Coke Stevenson, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 735, "An Act granting Mrs. Harriet B. Hagy, a feme sole, and Miss Geraldine Hagy, a feme sole, permission to bring suit against the State of Texas in the district court of Collin County, Texas, for damages in the sum of nine hundred and fifty dollars (\$950), alleged to have been sustained by reason of the relocation, construction and maintenance of State Highway No. 6 through their property located in Collin County, Texas; providing that such suit may be filed within two (2) years after this Act takes effect; providing for the method of serving process and the procedure governing the trial and determination of such suit, and declaring an emergency,"

Has carefully compared same, and finds it correctly enrolled.

ATCHISON, Chairman.

Committee Room,

Austin, Texas, May 4, 1935.

Hon. Coke Stevenson, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 743, "An Act amending Article 1103 of the Penal Code as amended by the Acts of the Regular Session of the Forty-third Legislature, Chapter 46; Article 1104 of the Penal Code; Article 1105 of the Penal Code as amended by the Acts of the Regular Session of the Forty-third Legislature, Chapter 46; Article 1106 of the Penal Code as amended by the Acts of the Regular Session of the Forty-third Legislature, Chapter 46; and Article 1111 of the Penal Code regulating the manufacture, sale and distribution of petroleum products; providing certain standards, rules and definitions relative thereto; providing a penalty for violation of the provisions hereof, and declaring an emergency,"

Has carefully compared same, and finds it correctly enrolled.

ATCHISON, Chairman.

Committee Room,

Austin, Texas, May 4, 1935.

Hon. Coke Stevenson, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 838, "An Act to declare a closed season on the killing of quail and bobwhites in Van Zandt and Wood Counties for a period ending January 15, 1937, prescribing a penalty therefor, and declaring an emergency,"

Has carefully compared same, and finds it correctly enrolled.

ATCHISON, Chairman.

Committee Room,

Austin, Texas, May 3, 1935.

Hon. Coke Stevenson, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 841, "An Act to declare a four (4) year closed season on wild fox in Palo Pinto County, and making it unlawful to kill, except as herein provided, take, or for any one to have in his possession for barter or sale after the passage of this Act any wild fox or the pelts thereof; pro-

viding for a penalty for the violation of this Act, and declaring an emergency,"

Has carefully compared same, and finds it correctly enrolled.

ATCHISON, Chairman.

Committee Room,
Austin, Texas, May 3, 1935.

Hon. Coke Stevenson, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 975, "An Act amending Section or Subdivision 102, of Article 199, of the Revised Civil Statutes of Texas, of 1925, as amended by the Forty-third Legislature, Regular Session, Chapter 253, page 885, and changing the time of holding the terms of court of the District Court of the One Hundred and Second Judicial District of Texas; and changing the length of the terms of the district court in the counties in said Judicial District; enacting necessary provisions with reference to processes, writs, bonds, recognizances, and with reference to grand and petit jurors made necessary by the changes made by this Act, and validating and legalizing the same, and declaring an emergency,"

Has carefully compared same, and finds it correctly enrolled.

ATCHISON, Chairman.

Committee Room,
Austin, Texas, May 4, 1935.

Hon. Coke Stevenson, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 946, "An Act to amend Section 4, Senate Bill No. 9, Chapter 5, Acts, Second Called Session, Forty-third Legislature, and Senate Bill No. 118, Regular Session, Forty-fourth Legislature, and declaring an emergency,"

Has carefully compared same, and finds it correctly enrolled.

ATCHISON, Chairman.

Committee Room,
Austin, Texas, May 5, 1935.

Hon. Coke Stevenson, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 861, "An Act granting to John Mulkey of Ellis County,

Texas, permission to bring suit against the State of Texas and the State Highway Department, in the District Court of Ellis County, Texas, for damages sustained to his property by the construction of roadbed and excavating sides of roadbed adjacent to and upon his land on Highway No. 6 in Ellis County, Texas, impounding water on his land and destroying his farm products; providing that such suit may be filed within two (2) years after this Act takes effect; providing for the method of serving process and for procedure governing the trial and determination of such suit, and declaring an emergency."

Has carefully compared same, and finds it correctly enrolled.

ROANE, Vice-Chairman.

Committee Room,
Austin, Texas, May 3, 1935.

Hon. Coke Stevenson, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 936, "An Act making it unlawful to take squirrels in Washington County at any time other than during the months of May, June, July, October, November, and December, or to take more than ten (10) squirrels in one day or to possess more than twenty (20) squirrels at one time; providing a penalty; repealing all laws in conflict with this Act, and declaring an emergency,"

Has carefully compared same, and finds it correctly enrolled.

ATCHISON, Chairman.

Committee Room,
Austin, Texas, May 6, 1935.

Hon. Coke Stevenson, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 363, "An Act creating the Commission of the Volunteer Army of the War with Spain, to be composed of the Governor of the State of Texas, the Adjutant General of Texas, and the Department Commander of the United Spanish War Veterans of Texas, and their successors in office, all without extra compensation, and the Governor as chairman; making an appropriation, the income from the principal of which is to be used for the benefit of aged and indi-

gent Spanish-American War Veterans, their widows and orphans under administration of such Commission; providing for the investment of such funds in bonds and/or securities of the University of Texas, and declaring an emergency,"

Has carefully compared same, and finds it correctly enrolled.

ROANE, Vice-Chairman.

Committee Room,

Austin, Texas, May 4, 1935.

Hon. Coke Stevenson, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 87, "An Act making appropriation to pay to parties named, funds heretofore paid into the State Treasury under the provisions of Articles 3644, (3574) to 3660, (3591), of the Revised Civil Statutes of Texas, of 1925, authorizing State Treasurer to pay same, and declaring an emergency,"

Has carefully compared same, and finds it correctly enrolled.

ROANE, Vice-Chairman.

Committee Room,

Austin, Texas, May 5, 1935.

Hon. Coke Stevenson, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 306, "An Act amending Title 116, of the 1925 Revised Civil Statutes of Texas, by adding thereto Article 6699-b, providing for the appointment, compensation, duties, expenses, equipment, and removal, etc., of county traffic officers; providing this Act shall not apply to certain counties, and declaring an emergency,"

Has carefully compared same, and finds it correctly enrolled.

ROANE, Vice-Chairman.

Committee Room,

Austin, Texas, May 5, 1935.

Hon. Coke Stevenson, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 203, "An Act to validate all proceedings and acts of governing bodies of cities containing a population of not more than eleven thousand (11,000) nor less than ten thousand,

five hundred (10,500), according to the last preceding Federal Census, in connection with the issuance of funding warrants and funding bonds heretofore authorized or attempted to be authorized under the provisions of Chapter 163, Acts Forty-second Legislature, Regular Session, and declaring an emergency,"

Has carefully compared same, and finds it correctly enrolled.

ROANE, Vice-Chairman.

Committee Room,

Austin, Texas, May 5, 1935.

Hon. Coke Stevenson, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 863, "An Act to validate all proceedings, orders, and resolutions whereby any water improvement district or water control and improvement district, or conservation and reclamation district now organized and existing under the Constitution and Laws of this State (other than water improvement districts now organized and existing under the Constitution and/or Laws of this State which obtain their water supply under contract with the United States) whether pursuant to an election or without such election, has provided for refunding any part or all of its outstanding bonds or indebtedness theretofore authorized by an election held for that purpose as provided by law; to validate all proceedings, orders, and resolutions whereby any such district, whether pursuant to an election or without such election has provided for the cancellation of all or any part of its unsold bonds which have been theretofore authorized by an election held for that purpose as provided by law and which have been submitted to and approved by the Attorney General of the State of Texas or validated by suit or Act of the Legislature and registered by the Comptroller as provided by law, and for the issuance of new bonds either in lieu of all or part of such unsold bonds or for payment of cost of purchase, construction, improvement, or extension of the improvements necessary or proper to carry out the purposes of the organization of said district; to validate any and all refunding or new bonds which have been heretofore or may be hereafter issued pursuant to proceedings, orders, and resolutions hereby validated; to au-

thorize any such district to levy and collect any taxes, either ad valorem or on a benefit basis as it may determine, which may be necessary for payment of the interest upon and the creation of a sinking fund for the payment of such refunding bonds or new bonds, and to validate proceedings, orders, and resolutions whereby such taxes have been heretofore provided for or levied by such district; providing that any partial invalidity of this Act shall not affect this Act except to the extent of such partial invalidity, and declaring an emergency,"

Has carefully compared same, and finds it correctly enrolled.

ROANE, Vice-Chairman.

Committee Room,

Austin, Texas, May 5, 1935.

Hon. Coke Stevenson, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 791, "An Act to prohibit the taking of fish from the fresh waters of Comal County by any means or device other than by ordinary pole and line, or throw line, or trot-line with hooks not less than six (6) feet apart, except by the use of artificial bait; fixing a penalty, and declaring an emergency,"

Has carefully compared same, and finds it correctly enrolled.

ROANE, Vice-Chairman.

Committee Room,

Austin, Texas, May 4, 1935.

Hon. Coke Stevenson, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 377, "An Act creating a closed season upon wild deer, buck, doe, fawn, or wild turkey for a period of six (6) years in the County of Robertson, in the State of Texas; making it unlawful for any person to hunt, trap, ensnare, kill, or attempt to kill, by any means whatsoever, any wild deer, buck, doe, fawn, or wild turkey within said county, for a period of six (6) years; providing a penalty therefor, and declaring an emergency,"

Has carefully compared same, and finds it correctly enrolled.

ROANE, Vice-Chairman.

Committee Room,

Austin, Texas, May 6, 1935.

Hon. Coke Stevenson, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 928, "An Act to exempt banking institutions from furnishing security for any deposits to the extent such deposits are insured under Section 12-b of the Federal Reserve Act, as amended; repealing all laws in conflict herewith, and declaring an emergency,"

Has carefully compared same, and finds it correctly enrolled.

ROANE, Vice-Chairman.

Committee Room,

Austin, Texas, May 6, 1935.

Hon. Coke Stevenson, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 471, "An Act amending Article 195, Chapter 2, Title 4, Code of Criminal Procedure of Texas, 1925, and declaring an emergency,"

Has carefully compared same, and finds it correctly enrolled.

ROANE, Vice-Chairman.

Committee Room,

Austin, Texas, May 4, 1935.

Hon. Coke Stevenson, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 420, "An Act amending Article 2094, Chapter 7, Title 42, Revised Civil Statutes of Texas, 1925, as amended by Acts, 1929, Forty-first Legislature, page 89, Chapter 43, Section 1, providing for jury wheel system of selecting jurors in certain counties having a population of at least fifty-eight thousand (58,000) inhabitants or having therein a city having a population of at least twenty thousand (20,000) as shown by the preceding Federal Census; prescribing duties of the tax collector, tax assessor, sheriff, county clerk and district clerk in regard thereto; provided in discretion of commissioners court in all counties having a population of at least twenty-four thousand, one hundred and fifty (24,150) and not more than twenty-five thousand (25,000) inhabitants jury wheel

system of selecting jurors may be adopted, and declaring an emergency,"

Has carefully compared same, and finds it correctly enrolled.

ROANE, Vice-Chairman.

Committee Room,
Austin, Texas, May 5, 1935.
Hon. Coke Stevenson, Speaker of the
House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 228, "An Act providing for the payment of the salary of the ex-officio superintendent of public instruction in all counties having not less than six thousand (6,000) and not more than six thousand, nine hundred (6,900) population, according to the last preceding Federal Census, from the county available school fund; repealing all laws and parts of laws in conflict herewith, and declaring an emergency,"

Has carefully compared same, and finds it correctly enrolled.

ROANE, Vice-Chairman.

Committee Room,
Austin, Texas, May 5, 1935.
Hon. Coke Stevenson, Speaker of the
House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 380, "An Act making an appropriation to pay judgments of the district and county courts refunding to the heirs, devisees, legatees or legal representatives of deceased persons, whose estates have escheated to the State, such sums of money belonging to such escheated estates as have been paid into the Public Treasury; authorizing the payment of such claims on the taking effect of this Act and the filing with the Comptroller of a copy of the order of the court under seal of the court, and declaring an emergency,"

Has carefully compared same, and finds it correctly enrolled.

ROANE, Vice-Chairman.

Committee Room,
Austin, Texas, May 5, 1935.
Hon. Coke Stevenson, Speaker of the
House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 867, "An Act creating a conservation and reclamation district,

to be known as 'Lower Rio Grande Flood Control District', pursuant to and for the purposes set forth in Section 59, of Article XVI, of the Constitution of the State of Texas, and to be a governmental agency, body politic and corporate without power to mortgage its property, or levy taxes or assessments, or to pledge the credit of the State; conferring certain powers, rights, privileges and functions, including the power to acquire, hold and convey the title to property; providing for method and time of filing claims for consequential damages to property, caused by a construction of the Lower Rio Grande Flood Control System; providing for institution of proceedings to confirm title in District; vesting the powers of the District in a Board of Directors and prescribing the manner of their appointment and their duties; providing for the appointment of officers, agents, and employees; providing for the fiscal management of the District; prescribing all necessary details; providing for the termination of said District; providing that if any of the provisions of this Act shall be held to be invalid, the validity of the other provisions thereof shall not be affected, and declaring an emergency,"

Has carefully compared same, and finds it correctly enrolled.

ROANE, Vice-Chairman.

Committee Room,
Austin, Texas, May 5, 1935.
Hon. Coke Stevenson, Speaker of the
House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 832, "An Act amending Chapter 302 of the Acts of 1931, Forty-second Legislature, page 759, General Laws of the Regular Session; providing for the appointment of a juvenile officer and assistant juvenile officers in counties having a population of more than three hundred and fifty thousand (350,000) inhabitants, fixing their duties and salaries and term of office; providing for additional duties for a juvenile officer and assistant juvenile officers in counties having a population of more than three hundred and fifty thousand (350,000) inhabitants; providing for the bonding of certain probation officers; providing for additional compensation for additional duties and

services required by this Act to each district judge coming under the terms of such Act; providing for the keeping of certain records by certain probation officers; providing for the appointment of a supervising head of county institutions by the county juvenile board in counties having a population of more than three hundred and fifty thousand (350,000) inhabitants; and providing for compensation of such superintending head; providing for the appointment of the heads of all county institutions in counties with a population of more than three hundred and fifty thousand (350,000) inhabitants by the county juvenile board in such county; providing for the appointment and selection of employes of county institutions, and providing for the establishment of their salaries; providing for additional duties of the superintending head of county institutions; providing for necessary funds for the operation of such institutions; repealing all laws or parts of laws in conflict herewith to the extent of the conflict only; providing that if any article, section, sentence, clause or phrase of this Act is for any reason held to be unconstitutional, such decision shall not affect the remaining portions of this Act, and declaring an emergency,"

Has carefully compared same, and finds it correctly enrolled.

ROANE, Vice-Chairman.

Committee Room,

Austin, Texas, May 6, 1935.

Hon. Coke Stevenson, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 829, "An Act exempting from taxation institutions or organizations such as Texas Federation of Women's Clubs of Texas, and declaring an emergency,"

Has carefully compared same, and finds it correctly enrolled.

ROANE, Vice-Chairman.

Committee Room,

Austin, Texas, May 5, 1935.

Hon. Coke Stevenson, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 381, "An Act to permit and authorize the Fort Worth Na-

tional Bank of Fort Worth, Texas, to bring and prosecute an action against the State of Texas on certain contracts; fixing the time within which the same may be brought; fixing the venue thereof in Travis County, Texas; providing that any judgment recovered be paid from the State Highway Fund; providing for service of citation, and declaring an emergency,"

Has carefully compared same, and finds it correctly enrolled.

ROANE, Vice-Chairman.

Committee Room,

Austin, Texas, May 6, 1935.

Hon. Coke Stevenson, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 472, "An Act to authorize the State Highway Commission of Texas to provide for the removal of the bridges obstructing the construction of the Intracoastal Waterway of Louisiana and Texas, and to replace same out of any funds available for that purpose, and declaring an emergency,"

Has carefully compared same, and finds it correctly enrolled.

ROANE, Vice-Chairman.

Committee Room,

Austin, Texas, May 5, 1935.

Hon. Coke Stevenson, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 732, "An Act amending Section 14, Acts 1927, Fortieth Legislature, First Called Session, page 116, Chapter 41, as amended by Acts, 1929, Forty-first Legislature, First Called Session, page 7, Chapter 4, Section 3, by adding thereto a new Subsection 26, and declaring an emergency,"

Has carefully compared same, and finds it correctly enrolled.

ROANE, Vice-Chairman.

Committee Room,

Austin, Texas, May 6, 1935.

Hon. Coke Stevenson, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 828, "An Act amending Article 7257 of the Revised Civil Statutes of Texas, of 1925, providing additional duties of the tax assessor and

collector, requiring an entry upon the tax rolls when payment of taxes has been made; providing for a seal for this office, and prescribing that such entry shall be taken as evidence of the payment of said tax, and declaring an emergency,"

Has carefully compared same, and finds it correctly enrolled.

ROANE, Vice-Chairman.

Committee Room,

Austin, Texas, May 4, 1935.

Hon. Coke Stevenson, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 344, "An Act to amend Section 11 of the Acts of 1927, Fortieth Legislature, Regular Session, Chapter 22, page 26, House Bill No. 80, as amended by the Acts of 1933, Forty-third Legislature, Chapter 50, page 61, Special Laws, House Bill No. 435, so as to provide by this Act, and as an amendment of said Act of the Forty-third Legislature, that the two judges of the County Courts at Law Nos. 1 and 2, of Bexar County, Texas, shall not be required to furnish bonds, but shall each take the oath of office prescribed by the Constitution of Texas, and that certain fees shall be collected by the clerk of said courts and by him paid into the County Treasury of Bexar County, Texas, and that the two judges of the County Courts at Law Nos. 1 and 2, of Bexar County, Texas, shall each receive an annual salary of forty-four hundred dollars (\$4,400); and providing for the payment of said salaries; providing for the repealing of all laws and parts of laws in conflict with this Act, and declaring an emergency,"

Has carefully compared same, and finds it correctly enrolled.

ROANE, Vice-Chairman.

Committee Room,

Austin, Texas, May 6, 1935.

Hon. Coke Stevenson, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 178, "An Act to amend Section 1, Chapter 56, Acts of the Fortieth Legislature, Article 7589-a, Vernon's Revised Civil Statutes of Texas, of 1925, respecting the diversion of the natural flow of surface waters or permitting such diversion

to continue or impound such waters or permit the impounding thereof to continue in such manner to damage property of another by the overflow of such diverted or impounded waters and providing for damages at law and in equity occasioned thereby and providing that this Act shall in no way affect the construction and maintenance of levees or other improvements for controlling overflows and freshets in rivers, creeks and streams, nor to the construction of canals for irrigation or other purposes, and further providing that nothing in this Act shall be construed to authorize or give authority to persons or private corporations owning or constructing canals for irrigation or other purposes to so construct or maintain the same in such manner to obstruct any river, creek, bayou, gully, slough or other well defined natural drainage; and further providing that where gullies or sloughs permit the escape of flood waters from such rivers or creeks on to land adjacent to such streams, the owner of such land may fill the mouth of such gullies or sloughs to the height of adjacent banks of such streams without liability in damages, and declaring an emergency,"

Has carefully compared same, and finds it correctly enrolled.

ROANE, Vice-Chairman.

Committee Room,

Austin, Texas, May 5, 1935.

Hon. Coke Stevenson, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 753, "An Act to make it unlawful to take, hunt, trap, shoot or kill any deer, wild turkey or wild quail of any species, for a period of three (3) years in McCulloch and Coleman Counties, Texas; fixing penalty, and declaring an emergency,"

Has carefully compared same, and finds it correctly enrolled.

ROANE, Vice-Chairman.

Committee Room,

Austin, Texas, May 4, 1935.

Hon. Coke Stevenson, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 14, "An Act repealing Senate Bill No. 265, Chapter 14, Acts of the Regular Session of the Forty-

second Legislature, providing for a rural school supervisor in certain counties in lieu of teachers institutes; prescribing the duties of said supervisor; providing for visits to schools in the county and work in co-operation with teachers; prescribing the salary of said supervisor and how it shall be paid; providing other things incidental to said purpose, and declaring an emergency,"

Has carefully compared same, and finds it correctly enrolled.

ROANE, Vice-Chairman.

Committee Room,
Austin, Texas, May 5, 1935.

Hon. Coke Stevenson, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 13, "An Act to amend Chapter 39, of the General and Special Laws of the Forty-second Legislature, which was an Act 'providing for a rural school supervisor in certain counties in lieu of teachers' institutes; prescribing the duties of said supervisor; providing for visits to schools in the county and work in co-operation with teachers; prescribing the salary of said supervisor and how it shall be paid; providing other things incidental to said purpose, and declaring an emergency,' so that hereafter said law shall not embrace, apply to, or include Nacogdoches County, and declaring an emergency,"

Has carefully compared same, and finds it correctly enrolled.

ROANE, Vice-Chairman.

Committee Room,
Austin, Texas, May 4, 1935.

Hon. Coke Stevenson, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 101, "An Act providing the period of time when it shall be lawful to kill wild mourning doves, wild quail of all varieties, wild chachalaca, wild white-winged doves in the North and South Zones of this State as defined by Article 878, Penal Code, as amended by Chapter 222, Regular Session, Fortieth Legislature; providing bag limits, possession limits, the number that may be taken in any seven-day period and the number that may be killed in the aggregate of all kinds and varieties; providing a penalty for any violation of

this Act; repealing all laws, in so far as they may conflict with any provision of this Act, and declaring an emergency,"

Has carefully compared same, and finds it correctly enrolled.

ROANE, Vice-Chairman.

Committee Room,
Austin, Texas, May 6, 1935.

Hon. Coke Stevenson, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 558, "An Act to establish and maintain a live stock and poultry agricultural experiment station in the piney woods region of Southeast Texas, in one of the following counties: Liberty, Orange, Hardin, Newton, Jasper, or Tyler, authorizing the Board of Directors of the Agricultural and Mechanical College of Texas to select a suitable location for said station, and empowering said Board of Directors to establish and maintain the same, to accept not less than two hundred (200) acres of land as a donation for said experimental station, and to accept money or anything of value for the establishment and maintenance of said station, and declaring an emergency,"

Has carefully compared same, and finds it correctly enrolled.

ROANE, Vice-Chairman.

Committee Room,
Austin, Texas, May 6, 1935.

Hon. Coke Stevenson, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 642, "An Act to amend Article 3430 of the Revised Civil Statutes of Texas, 1925, and to amend Article 3576, Revised Civil Statutes of Texas, 1925, as amended by Acts of 1929, Forty-first Legislature, page 63, Chapter 29, Section 2, and declaring an emergency,"

Has carefully compared same, and finds it correctly enrolled.

ROANE, Vice-Chairman.

Committee Room,
Austin, Texas, May 5, 1935.

Hon. Coke Stevenson, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 873, "An Act for the purpose of prohibiting the dredging of

oysters in the headwaters of Matagorda Bay east of a line from Palacios Point on the mainland in Matagorda County across Matagorda Bay to Cotton Bayou on the Matagorda peninsula; providing a penalty, and declaring an emergency,"

Has carefully compared same, and finds it correctly enrolled.

ROANE, Vice-Chairman.

Committee Room,
Austin, Texas, May 6, 1935.

Hon. Coke Stevenson, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 492, "An Act to amend Article 2696, of the Revised Civil Statutes of Texas, of 1925, relating to the transfers of children from an independent school district or other school districts in any county, to some other independent district, or other district, in the same county, and providing that the per capita apportionment shall be paid by the State Treasurer to the independent school district to which the child is transferred, or to the county superintendent in all other districts, to be distributed by said county superintendent, and providing for an appeal from the acts of the county superintendent to the county board of trustees in all cases when an independent, or other district shall be dissatisfied with the action of the county superintendent in the transfers made by said county superintendent, and declaring an emergency,"

Has carefully compared same, and finds it correctly enrolled.

ROANE, Vice-Chairman.

Committee Room,
Austin, Texas, May 6, 1935.

Hon. Coke Stevenson, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 897, "An Act to amend Section 5, of Chapter 271, Acts of the Regular Session of the Forty-second Legislature, which is Article 5421-c, Revised Civil Statutes of Texas, of 1925, providing for the sale of public free school lands in Karnes County under preference right to include a provision providing for the purchase of lands surveyed under Article 5323, Revised Civil Statutes of Texas, of 1925, and which are not situated

within ten (10) miles of a producing oil or gas well, in cases where the field notes have been filed in the General Land Office and approved, but the applicant has failed to file his application to purchase within the time prescribed by law; and authorizing a revaluation of such areas, and declaring an emergency,"

Has carefully compared same, and finds it correctly enrolled.

ROANE, Vice-Chairman.

Committee Room,
Austin, Texas, May 6, 1935.

Hon. Coke Stevenson, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 902, "An Act amending Section 1, Chapter 98, page 273, Acts of 1925, shown as Article 1058 in the Code of Criminal Procedure, 1925 revision, as amended by Acts of 1927, Fortieth Legislature, page 320, Chapter 217, Section 1, as further amended by Acts of 1927, Fortieth Legislature, First Called Session, page 154, Chapter 54, Section 1; as further amended by Acts of 1930, Forty-first Legislature, Fourth Called Session, page 93, Chapter 52, Section 1, and as further amended by Acts of 1931, Forty-second Legislature, page 222, Chapter 130, Section 1, so as to provide for the pay of riding and walking grand jury bailiffs in certain counties and fixing compensation therefor, and providing for pay of sheriffs and deputy sheriffs serving as grand jury bailiffs and bailiffs before courts in any county having a population in an excess of three hundred and fifty thousand (350,000), as shown by the last preceding Federal Census; providing such compensation shall be paid out of the general fund of such counties; providing per diem allowance to such bailiffs, sheriffs and deputy sheriffs for automobile expense and upkeep; providing procedure for filing such claim for such compensation, and declaring an emergency,"

Has carefully compared same, and finds it correctly enrolled.

ROANE, Vice-Chairman.

Committee Room,
Austin, Texas, May 6, 1935.

Hon. Coke Stevenson, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 439, "An Act to amend Article 6674-n, Revised Civil Statutes of Texas of 1925, as amended by Chapter 207, Senate Bill No. 531, passed at the Regular Session, Forty-third Legislature, General Laws, page 622; conferring upon the State Highway Commission the right of eminent domain, acting by and through the Attorney General of the State of Texas, to condemn land for right of way in connection with the construction of a designated State highway; providing for filing of suits by the State Highway Commission, acting by and through the Attorney General of the State of Texas, in Travis County, for the purpose of securing such right of way; providing for following same procedure in Travis County as set out in Title 52, Articles 3264 to 3271, inclusive, Revised Civil Statutes of Texas of 1925; limiting the right of the State Highway Commission to condemn such right of way to cases where the commissioners court has failed or refused to acquire such right of way by purchase or condemnation; repealing all laws or parts of laws in conflict herewith; providing that should any part of this Act be held to be unconstitutional or void same shall not affect the remainder hereof, and declaring an emergency,"

Has carefully compared same, and finds it correctly enrolled.

ROANE, Vice-Chairman.

Committee Room,

Austin, Texas, May 6, 1935.

Hon. Coke Stevenson, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 820, "An Act providing a new article of Title 26, of the Revised Civil Statutes of Texas, of 1925, to be hereafter known as Article 930-b of said Title 26, as amended by Chapter 66 of the General and Special Laws of the Forty-third Legislature, Second Called Session, House Bill No. 122, which Article 930-b shall provide that, where prior to March 15, 1934, the effective date of said House Bill No. 122 of said Second Called Session of the Forty-third Legislature, any person or persons, co-partnership, corporation, concern or association had purchased a body or tract of land for cemetery purposes or for any of the purposes expressed in said Title 26, and had prior to said

March 15, 1934, entered into contracts or written obligations to use said land for such purposes contemplated by said Title 26 for cemetery purposes, or having executed and/or sold, prior to said date, stock subscriptions or other instruments in writing evidencing such intention to use said land or lands for cemetery purposes, all of such body or tract of land so purchased prior to said March 15, 1934, shall be exempt from the provisions of Article 930 and Article 930-a of said Title 26, provided that, at the time said body or tract of land was purchased, and at the time said contracts or written obligations were entered into, or said stocks or subscriptions were issued or sold, a graveyard, cemetery, mausoleum and/or crematory could, under the law of this State, have been legally established, used and operated upon such body or tract of land, so purchased, or upon a part thereof, and declaring an emergency."

Has carefully compared same, and finds it correctly enrolled.

ROANE, Vice-Chairman.

Committee Room,

Austin, Texas, May 6, 1935.

Hon. Coke Stevenson, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 835, "An Act amending Article 7260, Revised Civil Statutes of Texas of 1925, and declaring an emergency,"

Has carefully compared same, and finds it correctly enrolled.

ROANE, Vice-Chairman.

SIXTY-FIFTH DAY

(Tuesday, May 7, 1935)

The House met at 9:30 o'clock a. m., pursuant to adjournment, and was called to order by Speaker Stevenson.

The roll was called, and the following members were present:

Mr. Speaker	Bergman
Adamson	Bourne
Adkins	Bradbury
Aikin	Bradford
Alexander	Broyles
Alsup	Burton
Ash	Butler of Brazos
Atchison	Butler of Karnes